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1931A42
V.3

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IN THE MATTER OF THE PUBLIC INQUIRIES ACT,
INQUIRY INTO
CERTAIN ALLEGED IRREGULARITIES
IN THE CONDUCT OF
THE MUNICIPAL DISTRICT OF INCA NO. 520,
EVIDENCE AND PROCEEDINGS
BEFORE THE HONOURABLE
MR. JUSTICE TWEEDIE
AT STONY PLAIN,
MONDAY AUGUST 10, 1981

VOL. 3





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v.2

CA2 ALZ 3 1931A42
Evidence and Proceedings At Inquiry Before
the Honourable Mr. Justice Twee 2.c.1



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IN THE MATTER of The Public Inquiries Act being
Chapter 26 of The Revised Statutes of Alberta, 1922

and

IN THE MATTER of an inquiry directed to be made
into certain alleged irregularities in the conduct
of the business and affairs of The Municipal
District of Inga No. 520.

Evidence and Proceedings at
Inquiry before The Honourable
Mr. Justice Tweedie at Stony Plain
commencing on Monday August 10; 1931.

VOLUME 3



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DORIS IRENE PIDGLON called and sworn, testified as follows, examined by Mr. Parlee:

Q You are the wife of the secretary treasurer of this municipality?

A Yes, sir.

Q And how long has he been secretary treasurer?

A I think eleven years.

Q And how long have you been acting with him?

A I worked on the books the year before I was married and I have been married ten years.

Q And she has been eleven years?

A Yes I helped him one year before.

Q And you have had a great deal to do with the books since that time?

A Yes especially the last two or three years.

Q And this spring you were appointed assistant secretary treasurer with a salary of \$800?

A Yes.

Q And the statement here is that you went and requested that?

A I did. I requested it for two reasons. I did want to be acknowledged in the office because I knew a lot of people said I had no business in there, and another reason was we wished to pay our debts as we should pay them and give all of them their chance and not let one take it all and the rest go without and that was the reason and now we have an extra family besides our own to look after - my brother's wife and children, as well as our own.

Q And it was your request to the council?

A Yes it was. From the acting deputy clerk.

Q And you explained to them the circumstances?

A I did.

Q And it was through your request obviously that this division was made?

A I think so.

Q Now you will remember that in some of the divisions there was an election of councillors in February of this year?

A Yes.

Q And you are also aware particularly with regard to Division 1 and to a more or less extent ⁱⁿ division six there was some dissatisfaction?

A Yes.

Q And I think you told me when I saw you before that you had heard that shortly after the elections, yourself?

A Yes.

Q And then along about March 18th the municipal inspector Mr. Renshaw came to your office?

A Yes.

Q And you and Mr. Pidgeon both saw him?

A Yes.

Q And he had with him a letter a copy of which I am showing you dated March 18th, 1931?

A Yes.

Q This is the letter?

A Yes.

Q And do I understand you to say the original of that letter was not left with your office?

A No, it was not. I heard it read over.

Q This is a letter from the Acting Deputy Minister Mr. English to Mr. Pidgeon (Reading)

You would be expected to do this.

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Letter from Acting Deputy Minister of
Municipal Affairs dated March 18th, 1931,
addressed to Secretary Treasurer of
Municipality, filed as Exhibit 47.

- Q And you were aware of the second paragraph of that letter?
- A Yes. Well I was getting the time sheets ready at that time and I did not mind it perhaps so much as I might have.
- Q Well were you aware that the contents ought not to be destroyed?
- A Well I thought until the time had expired.
- THE COMMISSIONER: Well there is nothing in that language to understand - you were not to open them or destroy them until otherwise - that is simple, plain language?
- A I know.
- Q MR. PARLEE: It would appear to me a certain inconsistency in your statement. I do not want to be unfair to you but I want to give you all opportunity to explain yourself. You notice the reference to the ballot boxes?
- A Yes.
- Q You stated a moment ago that you thought it meant within the two months?
- A I did not think of it at all.
- Q And you would not destroy them?
- A I did not destroy them until I thought it was the time.
- Q There would be no request not to destroy them within two months because that was according to law and you knew it?
- A Yes.
- Q So there would be no point in writing to you to keep them within the two months because you knew that was the law?
- A Yes.
- Q You would be expected to do that. However, be that as it may,

What happened to the contents of these boxes?

A. I burned them.

Q. When and under what circumstances?

A. I burned them at the office in the garage on the day I was supposed to have burned them. I forget what day it is now. I do not know what day in April it is.

Q. I suppose you have a copy of the Municipal District -

A. Yes.

Q. Now I want you to be very careful and I do not want you to say anything to the Court that is not quite the fact. I do not want you to draw upon your imagination. I am reading you 262 (Reading) Were they burned in the presence of two witnesses?

A. Yes Mr. S. Lawrie and the oldest Woodley boy.

Q. How old would the boy be?

A. I do not know.

Q. And you called them in?

A. No they were in the office at the time.

Q. Under what circumstances did you destroy those. Were you moving or anything of the kind?

A. Yes we were moving the first of next month.

Q. When did you move?

A. I think it was the 9th of May.

Q. And when did you destroy the contents of the ballot boxes?

A. In April. I do not know whether it was the 28th day or what, but it was in April.

Q. And what was the moving power?

A. Nothing. And before every one in this room, I did not burn those ballot boxes on purpose. That is the only thing I ask.

Q. You did burn them on purpose but you did not have any ulterior motive?

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A No I did not.

Q THE COMMISSIONER: Will you just please answer the questions and it is for me to determine after you answer the questions whether you burned them or not for any purpose. Now you know you had no business to burn them at all?

A No not at that time.

Q You were not secretary treasurer?

A No.

Q You know your Act and you knew about the witnesses?

A Yes.

Q And your husband was secretary treasurer?

A Yes.

Q And you knew you had not the slightest business in the world to burn them?

A But my husband scolded me for burning them.

Q But you know that Act that calls for two witnesses - you know all about that part of it?

A Yes.

Q And you knew you had no business in the world to burn those ballots?

A No.

Q Did you know the secretary treasurer was the only one who could burn them?

A I never thought of it.

MR. PARLEE: I want to give you this opportunity. Had Mr. McKinley or any person on his behalf discussed the election with you?

A Oh they might have said something about it.

Q But about any difficulties?

A No never.

Q A claim of irregularities?

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A No none whatever.

Q And are you suggesting to the Court here that the destruction of the contents of this ballot box was without any ulterior motive?

A Yes.

Q THE COMMISSIONER: And immediately the statutory period provided for in Section 262 expired?

A Yes.

Q And without any consultation with your husband, and you were not the secretary treasurer?

A Yes.

MR. PARLES: And you did not move until upwards of a week later?

A I think it was the 9th of May. I could not say to the exact date because I am not sure.

Q But you ran across them. Were they in your way. Were you tripping over them?

A No. I was cleaning out the cupboard where they were put.

Q And do you know that Mr. Pitzler or anybody else had been to Edmonton to see the Department or to engage a lawyer or to consult a lawyer about testing the election?

A I heard rumors of it, sure.

Q That there was something on foot to test Mr. McKinley's election?

A But we never heard a thing about it after that.

Q Had you heard that they had been to Edmonton for the purpose of consultation regarding the testing of the election?

A Yes.

Q You knew that? Because

A I knew they had been around but what for I do not know.

Q You knew there was dissatisfaction about the election?

A Sure. & you seen it before Mr. P.

Q And you knew that Pitzler and others went to the Department of

Municipal Affairs in Edmonton in connection with it?

A Yes.

Q You knew they were dissatisfied?

A Yes.

Q You knew they wanted something done?

A I suppose they did.

Q And you read a letter from the Acting Deputy Minister asking you not to destroy the contents of this box until further advised?

A I don't remember it.

Q But you read the letter though?

A Yes I read it.

Q But you forgot that before you burned them. All right.

MR. PARLER: I am showing you here Exhibit 29. And that is the Poll book for Division 1?

A Yes.

Q And it has been stated here by the Poll clerk and by the deputy returning officer that that was put into the ballot box?

A Yes.

Q And when did you find Exhibit 29?

A The day Mr. Coggles came to the office. I found it for him.

Q What did Mr. Coggles say to you?

A He asked me about the ballot boxes and I told him the same thing I told to you and that I have told today.

Q And at what stage did the poll book come up?

A When he asked me. I said I might have. Of course I always have the voter's list because I make more than one copy of the voter's list. It is really a copy of the voter's list. that goes into the ballot box. It is not the voter's list.

Q And had you seen it before Mr. Coggles arrived?

A No I had never looked at it and I did not even know it was there.

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in the first person

in the first person

Q And when Mr. Coggles asked you - did you tell him they were destroyed?

A I told him the contents were destroyed.

Q And consequently the poll book would be destroyed too?

A Yes.

Q And if it were destroyed what was the motive that actuated you to go and find it?

A I went to look for the voter's list for Mr. Coggles because I knew I had the voter's list and I could not find the other.

Q And you found this?

A Yes I gave it to him as soon as I found it. I had no reasons to hide it because I did not even know it was there.

THE COMMISSIONER: But you exercised scrupulous care regarding the destruction of these documents, even to having two witnesses?

A I do not think I exercised care enough because I guess I was not as particular as I might have been because I did not think it made any difference.

Q That poll book was probably the largest document you had in the ballot box?

A We often keep them. When there are any pages left in the back we always keep them. I did not think there was anything wrong in keeping them.

Q And have you the poll book for the other divisions?

A No.

Q Why didn't you keep them?

A I don't know.

Q Well you have not kept them. What Mr. Parlee suggests is that these documents were available.

MR. PARLEE: I am suggesting to you that the contents were not



destroyed?

A But they were destroyed.

Q Why would you keep this. You see the blank pages here do not amount to anything?

A I know that.

Q Would you purposely keep a poll book of that nature?

A I don't know why I kept it.

Q I want to give you ample opportunity to explain. This is, as his Lordship says, one of the two largest documents there. This is one of the documents you check over to see if they are there?

A I did not keep it for any purpose at all.

Q Have I got your best answer?

A Yes, I cannot think of any more.

THE COMMISSIONER: You laid them away with the voter's list?

A Yes, they were all put in together.

Q And you exercised care in laying that poll book away?

A Yes.

Q You put it away with the voter's list?

A Yes. I did not even know it was there.

Q Do you mean to tell me you would put a poll book away with a voter's list and not know you were putting it away?

A I could, quite easily.

Q But that was not in the box?

A I did not find that until long after. That is how good care I took of them.

Q And if you found that poll book and there were no blank pages there why didn't you put it in the stove rather than keep it, and make a complete job of it. Why didn't you do that?

A I did not think of it at all.

Q You did not think of it at all?

A No, and I am telling the truth.

Q I am not questioning anything about your telling the truth.
It will be a long time after this probably before I decide whether you are or not.

A Well I cannot do any more.

Q Well I think you are telling the truth.

MR. PARLER: I am showing you a voter's list for Division 1.
It purports to be that?

A Yes that is what it is.

Q And when did you find that?

A When Mr. Bryan was in our office.

Q When?

A I do not know what night it was.

Q When?

A It was two days before I brought it here. I showed it to Mr. Bryan.

Q That is the one you produced here?

A Yes.

Q Where did that come from?

A It was in the bottom of the cupboard with some blank forms.

Q What cupboard?

A In the same cupboard where I looked with Mr. Connelley. I only have one cupboard. It is a big cupboard in the office.

Q How did you come to locate it?

A I was looking for some invoices and bills.

Q Well, when he came around in May it must have dawned on you that the thing had reached a serious stage?

A Yes.

Q And you realized you were in some difficulties, did you not?

and on the other hand

it will be a loss to the country
if you do not

I do not

know
it is not
the same

That is
yes

very much

A I was not even thinking. I did not think I had done anything wrong.

Q And you did not make any thorough investigation?

A Yes I looked when Mr.Coggles was there and I could not find it

Q THE COMMISSIONER: And you just had the one cupboard where you kept those documents?

A Yes.

Q And it was in that one cupboard?

A Yes.

Q And you could not have looked very carefully for Mr.Coggles?

A I had nothing to hide.

Q You could not have made a very thorough search in that cupboard?

A I did. I guess I could not have looked before or I would have found it.

MR. PARLATT: Have you anything further to say about the destruction.

A Only what I said before. I did not burn them on purpose.

Q I asked you if you had anything further to add?

A No.

Q The poll list for division 6, you found it?

A Yes I gave it to Mr.Coggles.

Q That was along with the poll book was it?

A Yes and I told him then I should have the other list for division 1 because I always keep them.

Voter's list for Division 6 filed as
Exhibit 48.

Q Your husband has been for some time past running a garage?

A Yes.

Q And I presume I am safe in saying that you have probably done

not a-ge taking, I did not look I had some of the

you did not make

more of the detail work of the secretary treasurership for some years than he has?

A Yes for the last two or three years - since we moved to Stony Plains.

Q And have you changed your bank lately?

A Yes.

Q What is the bank of the municipality now?

A Imperial.

Q And when did you take up the Imperial?

A Well it is about a month ago I think.

Q And prior to that what bank?

A The Bank of Toronto.

Q And why did you change from the Bank of Toronto to the Imperial?

A Because they stopped their credit. They would not give the credit the council needed.

Q And how long have you been in the Bank of Toronto?

A I think it was in December 1930.

Q And what bank did you do business with before that?

A In the Canadian Bank of Commerce in Stony Plain.

Q And why did you change from them?

A Because they would not give us the credit we needed.

Q And you are now in the third bank?

A Yes.

Q And how long had you been with the Canadian Bank of Commerce prior to that?

A I believe since the time the municipality started. I do not know whether they ever had any other bank.

Q And the bank that the municipality had done business with for a good many years declined to give you a further line of credit?

Other parts

principally had no business

to enter into a further line of

A Yes.

Q And you went over to the Bank of Toronto?

A Yes.

Q And a short time ago the Bank of Toronto declined to give you any further credit?

A Yes.

Q And you went to the Imperial?

A Yes.

Q Do you remember Mr. Ibsen calling on you. You know him?

A Yes.

Q He has stated here he went in to see you asking some questions about the last election?

A Yes.

Q And you made the statement to him to this effect, "it is a pity that you councillors cannot die gracefully." Did you make such a statement?

A I might have. We are not very good friends and I don't remember. I might have said it.

THE COMMISSIONER: He swears you did say it?

A Yes and I may have said it.

Q Whether he is a friend of yours or not your position was a public position?

A Yes and I was rude, but I could explain it all.

Q But I suppose if you were not good friends it is the time you should exercise great care and not be insolent.

A Yes.

Q I suppose you have no hesitation in classifying that as insolence on the part of a public official in the municipality to one of i

ratepayers?

A I was rude perhaps.

Q Oh I put it more than rude. It was insolent.

MR. PARLER: You were before me before and we had quite an examination?

A Yes.

Q And you have no doubt given the matters careful consideration?

A Yes.

Q And you have heard a lot of the evidence here?

A Yes.

Q And you have ^{not} been here since Thursday at noon?

A No.

Q And your husband would tell you the result of Thursday afternoon and Friday's evidence?

A Yes.

Q So I will ask you this question and I want you to furnish the Court with such information as you can. I am reading now from the powers given to the Commission as to the subject matters of the inquiry.

(Reading Clause "A" of Exhibit 1.) Have you any evidence to substantiate that part of the inquiry?

A No I have not.

Q You are interested in this inquiry?

A Yes.

Q And I ask you if you have any evidence to submit that will be of interest to his Lordship under Clause "A"?

* THE COMMISSIONER: That is people who have been paid by the municipality purporting to be for work done when in fact the work was not done and in some cases has not been done yet.

A I guess Mr. Kimmerly's case would come under that.

Q What have you to say about this Kimmerly affair?

A Well I told you and Mr. Coggles, I am not sure that Mr. Kimmerly called at our office but it still runs in my mind he did call for the first cheque and receipt but I could not swear to it, and the second one was sent out, the two of them went out within a day of each other, one for \$36 and the other for a receipt.

Q They are numbered 345 and 346?

A Yes.

Q Do you say they did not go out together?

A Not that I know of and I cannot swear how they went out because when I looked in my cash books the one follows the other.

Q Have you the stubs for those cheques?

A No.

Q Where are your stubs?

A I told you we did not keep our stubs. We do not keep them as a rule after the audit is over.

Q You destroy them in the end of each year?

A We used them for scribbling pads or they go into the waste paper basket and I did not know we had to keep them.

Q And your stubs are all destroyed?

A Not all of them.

Q They are not destroyed for 1931?

A No. When Mr. Pidgeon told me about the cheque stubs that were here on exhibit then I was coming back on Friday at dinner time to my office I stopped in front of the office to open the door and John Walton and Henry Sinner were there and I said to them: "Did you hear that our cheque stubs were found at Golden Spike?" And Johnny Walton said: "No, I know where they were found, they were found on the nuisance ground." And that is the only place

they could have been found - on the nuisance ground or back of our garage.

THE COMMISSIONER: Who is Johnny Walton?

A He is from Holborn.

Q How old is he. Is he a boy?

A Oh a man with a family, and Henry Sinner is in the barber shop here at Stony Plain.

Q And they appear the same day?

A Yes and I had it in my mind he called for one.

Q And do you think they were not written at the same time they went out?

A Well I could not swear when they were sent out.

Q Mr. Howat only comes down once in a while to sign the cheques?

A Yes, there was a council meeting on August 1st.

Q But he must have signed both 345 and 346 at the same time?

A At the same time, yes.

Q And did he come in to see you subsequently?

A As soon as I found I had made a mistake in sending out cheques I went to the bank to see if they were cashed and I wrote him a letter with my pen.

Q And did he come in to see you?

A Yes I asked him to come and see me.

Q How did you find out they had been paid?

A When I checked over the time sheets.

Q And did he come to see you?

A Yes.

Q And what was the conversation you had with him?

A In the first place I asked him if he had been overpaid and he said yes and I asked him why he cashed the cheque and he said he

Q cashed it because he was so hard up he wanted money and I told him then if he did not think it was just the same as stealing the money " and if you don't make it up I will have to make it up," and he said he was hard up, he did not know how on earth he would make it up, and I said the only way I knew was to go and ask Mr. McKinley to let him work on the road.

Q Did he tell you he had already been to see Mr. McKinley?

A No he did not.

Q He gave evidence here that before he cashed the cheque for \$36 he had gone and discussed the matter with Mr. McKinley. And did he tell you he had been to see Mr. McKinley?

A No.

Q Did he tell you he had obtained permission from Mr. McKinley?

A No because I would not have told him to ask Mr. McKinley for some road work if he had.

Q He did not do it quite that way. He said: "Go and see Mr. McKinley and see if it cannot be fixed up. Things like that have been fixed up in the past."

A No I did not say that.

Q Did you say anything that would lead to that interpretation?

A No I did not.

Q Will you repeat again what you said?

A I stated he had better go to Mr. McKinley and see if he could not get some road work or work it out on the road. That is what I said to him.

Q And you went back to the office?

A Yes.

Q THE COMMISSIONER: Whose handwriting are those cheques?

A I think they are both mine.

- Q Can you tell me how you would issue two cheques and a tax receipt in regard to the same amount on the payroll?
- A Well that is what is bothering me. I do not see how I did it and I never did see it because evidently the number of the first cheque and the receipt were never put on the time sheet when they should have been.
- Q But these follow each other immediately?
- A Yes I know they do.
- Q And you were the assistant secretary. I do not see how you did it.
- A I do not see how I made it myself.
- Q I do n't suppose you think that is good practice for a municipal office paying out money?
- A No.
- Q Does Mr.Kimmerly still owe you the money?
- A Well I don't know anything about it.
- Q You told him if he did not you would have to. I suppose you have returned it?
- A Well I did not know until this affair came up that the work was not done.
- Q After you sent it to Mr.McKinley did you follow the matter any further?
- A No.
- Q Never heard anything more about it?
- A No not until this inquiry.
- Q Were there other monies earned by him subsequently?
- A I think there is one cheque \$29.00.
- Q Why didn't you keep that out?
- A I did not know it. I thought the work was done. Why would I keep it out?

- Q Wouldn't you want to satisfy yourself that \$36 was returned in some way? You are not serious with us, are you? If he had done the work subsequently there would be a time sheet given in for it.
- A There was one came in when the work was done wasn't there?
- Q Well you are the secretary treasurer. I am not.
- A I do not know when it came in. I do not know when it was cashed.
- Q Apparently he did work subsequently?
- A Yes.
- Q And you asked me how did you know. And I say a time sheet would come in and you would seize this \$36?
- A If I could see the time sheet.
- Q On September 18th we have a cheque to Mr. Kimmerly. Is that in your handwriting?
- A Yes.
- Q Exhibit 41, for \$29.05?
- A Yes.
- Q Number 524, \$29.05. ^{Did} It occur to you to follow the matter up?
- A No.
- Q Why?
- A Because I thought the time sheet was paid back.
- Q THE COMMISSIONER: You got another time sheet in, didn't you, in your office. And on the other time sheet there was certified work to the amount of \$36 and endorsed against that there was cheque number 346. Do you recall that time sheet?
- A I could if I see it.
- Q MR. PARLEY: I am showing you Exhibit 12, July 1929. Passed council on December 7th. Did you see this?
- A Yes. 137
- Q Do you know anything regarding that time sheet?

A No I do not.

Q "lr". And whose handwriting is that \$36?

A I know I put this here and that is the cheque the mistake was made in.

Q But this is months later you understand?

A I understand.

Q Whose handwriting are the first two lines to "total amount due?"

A Mr. McKinley's.

Q All Mr. McKinley's.

A Yes.

Q From the column "part of section," to the column "total amount due" is in Mr. McKinley's writing?

A Yes.

Q And "amount paid by cheque \$36", "number of cheque issued 346." That is in your figures?

A Yes.

THE COMMISSIONER: And what is that for. It is for work done when?

A In July.

Q When was the other work done that you overpaid for?

A In July.

Q These are the same dates?

A Yes.

Q And you had a conversation with him after the 2nd of August?

A Yes.

Q And you knew perfectly well that he had no right to that money?

A No.

Q You knew perfectly well when he got that \$36 cheque he had no right to it?

A Certainly. had taken a cheque

Q And you discussed it with him along the lines of stealing?

A Yes.

Q In your mind it was nothing more than simple theft?

A Yes.

Q And it was quite definite between you that when he got that cheque for \$36 he had not done the work?

A Yes.

Q And when you verified that time sheet you knew the work was covering the same period, that he had not actually done the work?

A I do not think I ever looked at it.

Q You were the assistant secretary treasurer. Did you examine that time sheet?

A No,

Q Did you go to the Reeve and say: "Now there is something suspicious about this because Kimmerly did not do that work in July and I have a time sheet here to set off against \$36?" Did you explain that to the Reeve? Did you?

A No,

Q Do I understand that you as Secretary Treasurer, the lady in charge of the funds of the ratepayers of this municipality, would mark against that cheque 346, knowing that it related to money which in your opinion had been stolen from your municipality when he cashed the cheque, and have no inquiries about it?

A I understood he worked it out.

Q But that pay sheet is for work in July?

A Yes.

Q You knew he had got paid for it?

A Yes.

Q You knew he had taken a \$36 cheque?

A Yes.

Q You knew he had not earned it?

A Yes.

Q And he admitted he had not earned it?

A When that time sheet came in I thought he had earned it.

Q But when you were talking to him first?

A Yes.

Q And when that time sheet came in with exactly the same date on it ^{and} you knew he had been paid once it never occurred to you to set on foot any inquiries about that?

A No.

Q Or to call the attention of the Reeve to it?

A When this time sheet came in I thought the work was done.

Q Or call the attention of the Reeve to it?

A No.

Q Or call the attention of the councillors when they were holding a general meeting?

A I certainly did not.

MR. PARLEE: Where did you get that sheet "1r"?

A I presume it was brought to the office. I do not know where it came from. I wanted to tell you that Mr. McKinley made out another and I told him Chester had not been able to pay the money to me and he said: "Do not worry any more, I am going to give him a chance to work it out on the road."

Q When was that?

A I don't know.

Q It must be after the 1st of August?

A Oh yes. and give my

Q And it must be prior to the 7th of December?

A Certainly.

Q Now what month was it in?

A I don't know.

Q You have no idea?

A No I cannot remember really what month it was. Unless Mr. McKinley remembers when it was I could not tell you.

Q You would have that \$36 on your mind?

A Yes.

Q It was between you and Kimmerly. You said a while ago that you would have to return it?

A Certainly.

Q \$36 is \$36?

A Certainly.

Q And when this came in did Mr. McKinley say something about it?

A I do not remember.

Q Wouldn't he come in and say: "Now Mrs. Pidgeon Kimmerly has done the work and here it is?"

A I do not remember a thing about it.

Q It is passed on the 7th of December 1929?

A Yes.

Q That \$36 was not for that particular work?

A No.

Q It could not be because you had already paid it to him?

A Oh it is for overpayment.

Q Why wouldn't you say that. 346, it is not for the \$36?

A No it is an overpayment.

Q Do you mean to tell me that you cannot remember how that came about and give any explanation at all about the matter?

A No I cannot. I cannot remember one thing.

Q And do you check them up to see whether they are right or wrong?

A We add the days and multiply them out, where our tick marks are.

Q THE COMMISSIONER: I suppose it was an entry to cover an over-payment and protect your office and protect Kimmerly, both?

A No, I fully understood Kimmerly did the work and I believed him. He was awfully hard up when he came to our place.

Q That is all right and I am very much interested in your firm conviction and belief. Now the pay sheets in July showed items of work totalling \$36?

A Yes.

Q And then that was paid by applying on taxes \$19.05?

A Yes.

Q And a cheque for \$16.95, making \$36?

A Yes.

Q At that time you gave him \$36?

A Yes.

Q The time sheets show the days when the work was done and the hours worked each day. You subsequently discussed it with Mr. McKinley and you said if he did not make it good that you would have to make it good and you also were confronted with the fact that his conduct amounted to theft in taking that cheque and cashing it?

A Yes.

Q And you were liable to reimburse that or your bondsmen would be to the municipality?

A Yes.

Q Then after it was taken up with Mr. McKinley a time sheet comes in to you setting forth the same items that were in time sheet number "15"?

A Yes.

Q And that time sheet set forth the hours and the days you had trouble with before, about a month?

A Well I never looked at it until I had trouble.

Q And you do not mean to say you are so careless you never check over these things. Is not that one of your duties, to check over the records and call the attention of the council to irregularities?

A But we do not check the work, only the hours and the multiplication.

Q Wouldn't you suggest to Mr. McKinley that the man had already been paid for that and it was the same work that had been done before?

A No.

Q And you thought when you got that time sheet for work in July which was already done?

A It was all I thought of it.

Q Why didn't you make a notation on the time sheet "settled by cheque issued on August 1st \$36?"

A That is what I should have done.

Q And the minute you found out that Mr. Kimmerly had been overpaid \$36 did you open up an account to charge him with that?

A No, it is just kept in our cash book.

Q How would that be kept in your cash book? Surely you would open a little account for him saying "Dr. to overpayment on road work \$36." Didn't you have such an item as that?

A I thought I would have remembered it. And we do not keep a ledger account.

MR. PARLEE: You could not remember it because you paid him \$29.05 in September?

A That was on another time sheet.

Q THE COMMISSIONER: It must have come to your mind that this was wrong?

A What was wrong?

Q This \$36 item of work?

A I had overpaid *him* certainly.

Q But did you find out later that this new time sheet was wrong?

A No I never knew it.

Q When did you first find that out?

A Just lately.

MR. PARLEE: Do you know of any other monies paid to ratepayers other than for road work which was not earned?

A I don't remember it. There might be, but I don't remember the time sheets.

Q Have you any knowledge or information of any monies that were not paid which were not earned?

A No, that is the only one I can think of.

(Reading Clause "B" of Exhibit 1). Have you any information or knowledge respecting that subject?

A No.

(Reading Clause "C" of Exhibit 1.)

A I think there are two or three times sheets I told you of.

Q Will you tell me of them again please?

A Mr. K.H. Barons was one.

Q Is that the one?

A Yes.

Q That is Exhibit 12 "1X". What do you know about that?

A This is my writing here and I changed the hours.

Q Levi Stevens?

A Yes.

Q Man and four horses?

A Yes.

Q And the figures showing the hours of each day are in your writing?

A Yes and Mr.McKinley O.K'd them here.

Q Where did that time sheet come from?

A I think Mr.McKinley brought it into the office.

Q Do you remember when it came in?

A I put it on the bottom after Mr.McKinley brought it in.

Q In what shape was it when Mr.McKinley brought it in?

A Just with Mr.Barron's name on the top.

Q Was this first line "Stevens, one man four hours," was that there?.Whose is that erasure?

A I do not know. It might be mine.

Q K.H.Barron four hours. That is what it was when Mr.McKinley brought it in?

A Yes.

Q Was it signed by the foreman?

A No Mr.McKinley signed it.

Q In your presence?

A Yes, I think he must have.

Q Levi Stevens. What do you know about that?

A Well I know Mr.McKinley asked me to change it.

Q It is not a question of changing it. It is entered as that?

A Yes.

Q And you checked the hours?

A Yes I believe he had "10" there.

And he is that one man there that you have crossed out?

A Yes.

Q You have changed it to one man?

A Yes. I do not go to

Q Why?

A Well I was asked to. I would not have any other reason to change and both these lines are mine and I asked Mr. McKinley to initial them.

Q William Stevens?

A Yes.

Q One man four horses?

A Yes.

Q Where did you get that information - from Mr. McKinley?

A Yes.

Q Why did you change the hours?

A I understood he did not work the full day.

Q And you changed it?

A I changed it to "9" on Mr. McKinley's instructions. You will notice he initialled it in both places.

Q But all this seems mysterious?

A Well there is nothing mysterious about it. I just did it because he asked me to.

Q But is it customary to change time sheets and sign foremen's names?

A No. It is done quite often. I should not say it is customary. It is done sometimes.

THE COMMISSIONER: It is done quite often?

A No but it has been done. You can see on the time sheet it has been done.

MR. PARLEE: The point I want to make is, Mr. McKinley brings it in with the figures on it, so many hours a day?

A Yes but I understood Mr. Stevens did not get up and go to work when he should have and that is why those hours were changed. He did not go to work when he should have.

Q And when did L.G.Stevens sign his name?

A He must have come into the office. I don't remember when he signed it. As a matter of fact I think they both were to come and sign and this other man never came to sign his.

Q Did Mr.McKinley initial that K.H.Barron right then and there?

A I don't know when he did it.

Q It is initialled twice. It looks as if he wanted to make sure.

You will notice the word "Barron" is initialled twice isn't it?

A I don't know. I think it was only initialled once. I think one was when Mr.Coggles came.

Q Have you any further explanation about this?

A No.

Q Did Levi Stevens work with Barron?

A No. Mr.McKinley did not get the other description on the back of the time sheet. There should really have been two descriptions because Mr.Barron and Mr.Stevens lived in one part of the municipality and the other in another part.

Q Where does Levi Stevens live - in Division 1?

A Yes but they both do not live in the same part.

Q Have you anything further to add to that?

A No, that is all I know.

Q Have you any other time sheets?

A I think I explained to you Mr.Leshman's time sheet. I think that is another one I had something to do with.

Q I am showing you Exhibit 13 "1Q".

THE COMMISSIONER: What have you to say about that?

A I think that is the one Mr.Coggles got the cheque for - John Leshman's cheque. I sent a cheque out for it and the envelope came back from the post office and we could not find him and then after -

Q You mailed a cheque to John Leshman?

A Yes, and the letter came back from the post office. And then Mr. Pidgeon took it to a council meeting and nobody seemed to know the man and I gave it to Mr. Coggles and the cheque. And Mr. Coggles remembers that.

Q MR. PARLEE: (Produced). When you issued that cheque was Heitzman or Kyle's name there?

A Yes they would be on. They are never changed after I issue a cheque.

Q The evidence of Mr. McKinley is that Heitzman or Kyle were put in to take the place of John Leshman?

A Yes.

Q And why would not that be explained to somebody so the cheque to Leshman would not go out?

A Well I do not think anyone noticed it.

Q But Mr. McKinley says that Heitzman and Kyle were both put there under his own directions?

A That is the only explanation I could get for it, that he did not know John Leshman was the same name.

Q But what I am pointing out is that Mr. McKinley knows and he puts in Heitzman and Kyle?

A Yes.

Q And why wouldn't someone cross out Leshman?

A Well I suppose they did not notice it.

Q I suppose this cheque that bears date August 1st. Is there any significance to that?

A Well we did not have the money to pay any of them until December.

Q You made out the cheques and held them?

A Yes, they were kept and had to be written all over again on Bank of Toronto cheques.

Is that somebody in the crowd. Now

concluded that

and I am in the

position to return that.

THEY (Producers) are

to take the place

of

and they would be

of the same

all I do not want

to be

to be

Q The municipality had not the funds from August to December to pay their accounts?

A No, and we had to re-write all the cheques.

Q And why did you mail that one out and not re-write it?

A We date them back like the entries in the cash book. They were all dated but they were not paid till December anyway.

Q THE COMMISSIONER: Mr. McKinley was at this council meeting when that letter was returned?

A I don't know that. I did not go to the council meetings. It is only the last two since we have left the office that I went.

Q I suppose Mr. McKinley attends them all?

A I think so.

Q How do you know this question was brought up at the council meeting and no one knows anything about John Leshman?

A Mr. Pidgeon told me when he brought it back.

Q You were not there and you do not know what happened?

A No.

Q If Mr. McKinley was there he did not volunteer any information to his brother councillors?

A I do not know that.

Q The minute will show who was at that meeting?

A Yes.

Q And will show this matter was discussed?

A Well it might not just show.

Q MR. PARLEE: Does it mean this, that the way that time sheet reads now there is a duplicate payment?

A Yes those two were supposed to make the Leshman one. They are supposed to.

Q The fact is that somebody is in error, the way that time sheet

appears?

A Yes and I think it is an error. But this part of it I think I explained to you before. I see that part on it because I think Mr.Coggles asked me.

Q You put the name Melcher Aronson?

A Yes for Mr.McKinley.

Q Mr.Aronson said it ought to be for July and not for June?

A Yes. I think Mr.McKinley brought a mistake when he brought that in. He had a slip I think.

Q How did you come to put that on?

A Well he added it on. That there is for my own guidance.

I do that often so I won't make a mistake.

Q Did he have the hours in here before you put Melcher Aronson?

A I think he put all of them on together. I do not think this has anything to do with this here.

Q But there had been something opposite the 167 hours?

A I knew it was Mr.Aronson's.

Q This last line was apparently added after Aronson signs it as foreman?

A Yes it must have been because this is Mr.Aronson's signature.

Q THE COMMISSIONER: Does that time sheet truthfully set forth all the transactions in connection with which the money was paid out under that time sheet?

A Yes.

Q Any alterations or variations in it?

A Not after I paid it.

Q But before you paid it?

A No.

Q Before you sent to the council meeting?

A Well they generally come in to me and they are all taken in a bunch to the council meeting and passed and sometimes I check them before the council meeting if we have time and if we have not time we have to check them after.

Q And when you find a time sheet on which Leshman's name is figuring and Kyle and Heitzman - would a time sheet such as that truthfully set forth the transaction?

A No.

Q And when that time sheet went to the councillors for approval and the general council was there anything to indicate on that that Leshman was not entitled to the money?

A No.

Q So that the council were left in the position at least on that time sheet of just approving blindly of the payment out of the municipalities money?

A No I think it was just an error.

Q Well it was not explained to them?

A No.

Q They were voting to Leshman money and Heitzman money and Kyle money and they were wholly misled by the time sheets, weren't they?

A Yes.

Q And that is true in connection with other time sheets which had been altered and had to be subtracted from and deleted and names crossed out. These time sheets were not kept in such a condition that the council as a body had an accurate guide?

A As a rule we are not responsible for the time sheets.

Q I am not blaming you for that. You do not make them out?

A No.

Q Would it be fair to say that so far as you were concerned yourself

and

the council

in order

to be able to

these things

body will be

responsible for

if you were taking these time sheets to make up a set of books and strike a balance that you would find them in more or less of a hopeless mess. Now would that be fair?

A Yes, sometimes they are very hard to figure out.

Q And when councillors get time sheets such as that to approve the expenditure of money they are approving something they do not know much about and they cannot find much about without a detailed inquiry. That is correct, isn't it?

A Yes.

MR. PARLER: Apparently it appears that from the minute book marked Exhibit 15 Mr. McKinley was present at the next two meetings.

See page 54, meeting on January 15th and page 57 meeting of March 13th.

THE COMMISSIONER: And your husband told you that this letter was brought up and nobody could give any explanation?

A No.

Q And Mr. McKinley was sitting there?

A I don't know that.

Q Well he was present at the meeting?

A Yes.

MR. PARLER: Have you any knowledge of any other time sheets being altered or added to?

A Clausen's.

Q That is the Soucy one?

A Yes.

Q What have you to say about the Clausen one. I am producing to you certain pay sheets of Division 2 for 1930. And we are particularly looking at "2J"?

A Yes.

(SOUND)

A Es 2000

3000

THEY ARE NOT

THEY ARE NOT

THEY ARE NOT

THEY ARE NOT

THEY ARE NOT

Bundle of time sheets filed as Exhibit 49.

Q Who is Mr. Clausen?

A He lives in Division 2.

Q Is he road foreman?

A No he was not road foreman but he has been on a number of pay sheets.

Q And tell the Court what you have to say about that.

A That is what I have to say. He came in and said Mr. Soucy was his hired man and this money was coming to him - the money on this pay sheet and that Soucy had left the country and he asked to put his name there, which I should not have done, which Mr. Pidgeon told me.

THE COMMISSIONER: What is Clausen's first name?

A George Clausen.

MR. PARLEE:

Q And there was \$45.50 coming to Soucy?

A Yes.

Q And Soucy's name was signed there?

A Yes.

Q And what did Mr. Clausen do?

A He came in to me.

Q And he asked to see the time sheet?

A Yes.

Q And then he said: "Here is \$45.50?"

A Yes.

Q And G. Soucy's name is signed afterwards?

A This is Clausen's quarter here too.

Q What did Mr. Clausen do. What did he say to you?

A He asked if he could put his name on the time sheets because Mr.

in Division .

forever

is not now forever but it has been on a number of days

and it is now a permanent one.

I have to . . . in . . .

and this money . . . - the money on this

that money had left the country and as asked

of this . . . at the time . . .

of the . . .

possibly to be

to be . . .

in the . . .

to see the . . .

Soucy had gone away.

Q And what did you say?

A I do not know. I said something to him.

Q He said the money was coming to him?

A Yes and I have known him for a long time and he has always been very straight and honest, and I let him go.

Q Who erased Soucy's name?

A I don't know whether I did or whether he did.

Q Anyway, Mr. Clausen -

A - signed it - I did not and he got the money.

Q You issued a cheque right then and there?

A No I don't think so.

Q \$45.50?

A I don't believe - I could not say to that. He might have taken it then, but the Reeve has to sign the cheques and I do not suppose he would get it -

THE COMMISSIONER: To whom was the cheque made out?

A To George Clausen.

Q And did you delete Soucy's name at the front there?

A No. His name is still on the time sheet and Clausen's quarter is.

Q But you still owe Soucy \$45.50?

A No. I owe it to him really.

Q No you would owe it to the municipality.

MR. PARLEE: What did Soucy say about it?

A I have never seen him.

Q He has made complaints?

A Through Mr. Coggles.

Q Did you ever speak to George Clausen about it?

A After Mr. Coggles was there I wrote him a letter and I never saw him and he never came near me.

9 money

have from 1

and the

only

that is money

Q Apparently you misjudged the man.

THE COMMISSIONER: Apparently he was not as good a friend as you thought?

A I guess. I have not got many when it comes to that.

Q Do you know anything about Soucy at all?

A No I don't. I don't know him. He might have been in some time but never mentioned that cheque to me or I certainly would have gone after it long ago.

MR. PARLME: Did Mr. Clausen ever do that before or since?

A Well at that time I do not know whether there was another time sheet changed but never any other time than that one time.

Q At our other examination you told me that was the only one?

A Yes.

Q And I notice now -

A If that was wrote at the same time he likely changed that one as well right at the same time.

THE COMMISSIONER: Was George Clausen a foreman?

A No.

Q Was he a councillor?

A No.

Q What was he?

A His quarter is in Soucy's name and Clausen's quarter is there and perhaps that made me do it more than anything else.

Q What I want to show you about is this. This George Clausen "2J", is cheque 258?

A Yes.

Q And the one "2F" is 322?

A I do not think the cheques were given to him that day. I likely mailed them to him. If you look through you will find a bunch of

you could not issue

— Indeed I
It apparently is no

yes. I have not yet

and about

everywhere

as far as I

— indeed

I want to show you about in

is about 200

time sheets go through and I make them all out before I send any cheques and we check them off. We make the whole bunch of cheques out and the members would come at different times or whenever the time sheet was made out.

THE COMMISSIONER: Is there another change?

MR. PARLET: Yes "2F" \$13.65.

THE COMMISSIONER: Have you those cheques to show that Clausen got them.

A They are at the office.

MR. PARLET: You might produce those two cheques, Mr. Pidgeon.

THE COMMISSIONER: Who was foreman on "2J" and "2F" sheets?

A Charles Clarke.

Q And he certified that Soucy had done this work. Is that correct?

A Yes.

Q Don't you think it would have been good practice for you to get in touch with Charles Clarke?

A I think the quarter is what made me do it.

Q Here is a time sheet which Charles Clarke certifies as being correct?

A That is why I did it.

Q Charles Clarke is a foreman?

A Yes.

Q He sends into the councillor. Who is the councillor?

A Mr. Kreye.

Q And he sends that to Mr. Kreye and Mr. Kreye brings it to you and you send it to the council to be approved?

A Yes.

Q Were those changes on "2J" and "2F" made by approval of the council?

A I do not think so. I think they would be made before.

Q You would not issued the cheque until after the council approved?

and I was then all out before I could say
them off. I was in whole bunch of cheques
would come to different times or whenever and

there was made out.

For it is there another cheque.

Yes "ST" \$15.00.

What have you done on those on that first cheque?

The office.

You might produce from two answers, I think.

What; the was taken on "ST" and "ST" at that?

That that money had been this one. I was on that?

What; it would have been good practice; I was on that?

What; that?

What; that is what made me do it.

What; that is what made me do it.

What; that?

What; that?

What; that is the answer?

Q No.

Q And Clausen was not a foreman and he was not a councillor and he was not an officer of the municipality?

A No.

Q He was just simply an ordinary tax payer?

A Yes.

Q And he walks into your office and said: "You have a time sheet there showing money coming to Soucy. Don't pay him but give it to me?"

A No he did not say it just like that. He said this man worked for him and the money was coming to him.

Q He says: "That money should be paid to me?"

A Yes.

Q Don't you think you should have got hold of Mr. Kreye or Mr. Clarke and said: "What about this pay sheet?"

A I guess I should have.

Q Why didn't you?

A Well the quarter has been put on by Mr. Clarke and I thought what he said was true.

MR. PARLEE: That pay sheet "2J" is for July 30th?

A Yes.

Q It is passed on August 2nd?

A But I would not make the cheques out until after they are passed?

Q But the sheet does not give any knowledge after the end of July or the 1st of August?

A Oh I imagine it was brought in around - well it might have been brought in any time after the 24th. They bring them in at different times, any time. They just bring them in there and leave them.

Q Have you any knowledge of any other additions to or alterations in

id not

at the way

"That's no way"

you explain

self: "What"

I should

at it you?

Doesn't seem to have any

against

was brought in - town - in 1911

after the bath. They lived there in a little

that had been there and leaves it

time sheets?

A I think that is all I can remember.

Q What is the practice of councillors bringing in time sheets.

Do they wait till the end of the month or do they bring them in any time?

A Most of them bring them in at council meeting day, but there is a minute put through that no more time sheets must be brought in on council meeting day but they must be brought in in time to give the secretary a chance to look over them and correct them and the ones that are not made out right must be sent back.

Q And that one might have been brought in a few days before?

A Well I could not say.

Q If it came in on August 2nd the day of the council meetings, George Clausen did not have much chance to rush in here and grab the money?

A No.

Q (Reading Clause "D" of Exhibit 1).

A No.

Q No knowlege or information?

A No.

Q (Reading Clause "E" of Exhibit 1).

A No none.

Q (Reading Clause "F" of Exhibit 1).

A No. I think that would be where you said about them working on the road for another man - no.

Q (Reading Clause "G" of Exhibit 1).

A No.

Q (Reading Clause "H" of Exhibit 1)?

A I think I did explain that, that there were orders to councillors

be all I can remember.

My sense of loneliness increased in this manner.

I still the end of the month or so they begin to

bring them in it comes to me that I am alone in

the house I feel no more time and I am brought in

my day but they must be brought in in this way

and I am left a chance to look over and the control

of the house is not made out right now. I am alone.

My sense of loneliness has been in a few days before

me.

in on August and the day of the council meeting.

and I am left a chance to look over and the control

of the house is not made out right now. I am alone.

My sense of loneliness has been in a few days before

me.

in on August and the day of the council meeting.

and I am left a chance to look over and the control

of the house is not made out right now. I am alone.

brought into the office and we paid them.

Q Well were there orders given to other people than councillors?

A Well there were other people brought them in and I believe Mr.

Pidgeon had one signed and brought in.

Q It was not just limited to councillors?

A Oh, no, no. The storekeepers - different ones.

Q (Reading Clause "i" of Exhibit 1).

A Well I have nothing to say about that.

Q And we have dealt with "j." (Reading Clause "K" of Exhibit 1).

A Not that I know of.

THE COMMISSIONER: Going back to "i". There was some suggestion that Mr. and Mrs. Pidgeon had not been provided with the proper equipment by council to properly carry out their work and their duties.

MR. PARLOR: The Court wants to know if any of the errors that have been caused here were due to your lack of equipment, and amplifying that, tell me what equipment you had?

THE COMMISSIONER: Start first with the premises?

A I think if we had an office long years ago and a place to keep things, things would have been much nicer. But we have never had an office until this spring.

Q Eleven years ago where was it?

A In our house, and there was only three rooms in the house and we had to have our office in it all the years we lived in Duffield.

Q And how long did you carry on in there?

A About eight years.

Q And then you carried on the duties of the office where?

A We moved to Stony Plain about three years ago.

Q And you carried on in Duffield in your house?

A Yes until one Fall, the Fall before, I think it would be in 1928

of the land and the

consolidated

orders given to other

other people from the

one of the big power lines.

Just limited to consolidated

at the same time -

"It is a mistake to

believe that the

settling of the

o.

the same time

on the other hand

to the other side

The Court is

to the other side

to the other side

the same time

to the other side

would have been

the same time

where as the

and there was only

the same time in it all the

the same time on in the

we had it in our garage at Duffield just during the Fall. and the winter we moved back to the house because it was too cold.

Q And you moved to Stony Plain when?

A May 1929.

Q Where did you have the office here?

A In the house.

Q And how long did it continue there?

A It would be I think in 1930 in June. And we moved it to the garage.

Q And how large a house had you here?

A I had a room for my office in Stony Plain.

Q And how long did you stay in the garage?

A Until they moved to the office we have now. We have proper office now.

Q And when was that office provided?

A Somewhere around May 9th, 1931, in that week.

Q And you have a proper office now?

A Yes.

Q Tell us about your equipment or supply of stationery and filing cabinet and desks.

A We did not have a desk only an old desk until this spring they bought us a desk and a nice office chair and the councillors have a table and six chairs. But the other years we provided an office chair. We provided it and we had a cupboard made after I came to Stony Plain. I think in 1930 we had a cupboard made and for long years we did not have a filing cabinet at all. I believe the municipal inspectors two different years asked for a filing cabinet.

Q And when did you get the filing cabinet?

A 1926 or 1927.

Q And you have had filing cabinets four years?

A Yes.

... moved back to the house because it was too cold.
to stay there when they

If you have the office here?

for it is contained there?

I think in 1980 in Tampa, ...

a house had a garage

for my office in Tampa

did you say in

to be the office

that off in ...

... equipment or anything

Two - desk only an old desk until last year

it had a nice office chair ...

chairs. But the other years he provided an office

ed it and a had ... after I came in

think in 1980 we had a bigboard made and for long

as a filing cabinet at all. I believe the

Q And did you have receipt books properly supplied and stationery?

A Yes, well we order those ourselves.

Q That is provided by the municipality?

A Yes.

Q You have plenty of stationery?

A Yes.

Q And you have books of account?

A Yes.

Q So that for the last four years you have had sufficient to keep your -

A Yes. It is much nicer since we have had our office.

Q But your supply of stationery and desks and chairs and filing cabinets and books of account and things like that have been reasonably good for the last four years, have they?

A Yes.

Q And the office. That has been good since May 1931?

A Yes. Well it is good in this respect, there cannot anyone get in to our office. It is not right to have an office where people can walk through it, but now absolutely no one can walk through it because we have a counter on they cannot walk through it.

MR. PARLEE: Have you anything further to add?

A No.

Q Were you here and heard Mr. R. C. Howatt state that a cheque for \$38 was offered to him last December?

A Yes.

Q And he stated it was not coming to him?

A I think I have an explanation for that.

Q You heard that?

A Yes.

Q Can you explain that?

A I think I can. At least I will do my best. After looking through our files we found that Mr. Howatt on December 15th received three cheques from us. He received one for \$49, one for \$15.75 and one for \$33.72. Anyway these three cheques were given to him that day and the cheque for \$15.75 he returned to Mr. Pidgeon and said he did not want it but the one for \$33.72 he also returned and it was applied on his taxes and the one for \$49 was returned and applied on his taxes and as far as I can see it was the \$15.75 cheque that was returned that he did not want. And the \$33.72 cheque was also returned and it was applied on his taxes. And if Mr. Pidgeon will go to the safe he will find the receipt there. And the one for \$33.72 is an order.

Q Now let me see if I understand you. What you say is that on the 15th of December Mr. Pidgeon takes Mr. Howatt three cheques?

A Yes.

Q One for forty-nine dollars and some cents?

A Yes.

Q One for \$15.75?

A Yes.

Q One for \$33.72?

A Yes.

Q He takes a cheque for \$33.72 and the one for \$49 and says: "Apply that on my taxes?"

A Yes and they were returned to the office.

Q And he said the one for \$15.75 was not his?

A Yes.

Q And you say he gets the \$30 in his mind from having the \$33?

A That is the impression I have.

Q He does return a cheque and say: "That is not mine?"

Q Now let me see if I understand

A Yes.
Q One for forty-nine dollars
A Yes.
Q One for \$15.75
A Yes.
Q One for \$25.75
A Yes.
Q He takes a check for \$25.75 and the one for \$15.75 and says: "Apply that on my taxes?"
A Yes and they were returned to the office.
Q He said the one for \$15.75 was not his?

Q Now let me see if I understand

A Yes.

Q But he is in error and he confuses it with the \$33?

A Well that is my explanation. We never gave him a cheque that was not coming to him. He worked for this time, if you will notice.

Q But that is your understanding of the error?

A Yes.

Q And when did you first hear of this cheque he declined to accept?

A From Mr. Coggles. Mr. Pidgeon brought the \$15 one back and I had a note pinned on it and Mr. Prussia came in and endorsed it.

Q Have you talked with Mr. Howat about it since the 15th of December?

A The first time Mr. Coggles was at our place. We phone him and he did not come and Mr. Pidgeon talked to him over the phone. It was quite a while after that he came into our office and I asked him about it and I asked him why he had told Mr. Coggles about this cheque because I said I still ~~say~~ it that Mr. Howat told that to Mr. Coggles simply for something to get us into trouble about.

Q And did you tell him that quite plainly?

A Yes.

Q That what Mr. Howatt was after was an ulterior motive to get you and your husband into trouble?

A Yes and he did tell me that the councillors whom I thought were my friends did more talking about us than he did?

Q And how did you bite back at him?

A I do not remember but I think it was very unkind of Mr. Howat because I looked the records through and through and I remember all about them.

Q And you have not the stubs for 1930?

A No. As I told you, we have never been asked to keep them and we never kept them.

Q Have you any record in your cash book or otherwise of a cheque to

Mr.Howatt for \$38?

A No one at all and I looked through it. That is why I wondered if Mr.Howat could remember back or get it confused.

Q You have nothing further to say about that cheque?

A No because we never gave Mr.Howat a cheque that we did not have a reason for giving it to him. We have the receipt where it was applied on Mr.Howat's taxes.

Q That is in the safe too?

A Yes.

Q The \$15.75 cheque you returned?

A That is Mr.Prussia's. I have the receipt for that.

Q You say Howatt was mistaken?

A No.

Q He said he got a \$38 cheque from you and sent it back?

A But I do remember him getting - all these cheques being taken to him on that day. The three cheques.

Q What day?

A The 15th of December, 1930, when Mr.Pidgoon went to collect taxes at Carvel.

Q I have heard a good deal of talk about this white case?

A Yes.

Q And I observe that judgment was given against the municipality and against your husband for \$3500 with costs?

A Yes.

Q Did your husband pay any part of that?

A I do not know. I don't think he was expected to.

Q Did he pay any part of the costs or the judgment against them?

A I think not.

Q The municipality has paid the whole of it?

Husband was paid costs

and I looked at

W. Howard could remember

nothing further

at we never gave

it to

But I do remember

to him on the

about that?

The last of November

Conversely,

that

Yes.

of the

and against your husband for

not husband say any part of

to not know. I don't think he was expected to.

of the case or the judgment against him

A As far as I know.

Q I have heard, and you denied it and I think your denial should be on record, that this Boness is no relative of yours?

A No he is not.

Q The evidence as I understand it is that Boness buys this property for some \$332?

A Yes.

Q And within a year he sells it for \$2880?

A Yes.

Q And the man that bought it named Hoffman states it cost him between five and six hundred dollars to raise the \$2880.

Do you know anything about this?

A No.

Q Is Boness a friend of your family's?

A Just a friend.

Q An intimate friend, he or his wife?

A I do not know whether you would call him an intimate friend.

Q He made a good bargain?

A Yes.

Q It was sold by private sale by the municipality to Mr. Boness for \$332.00?

A Yes.

Q Had there been any inquiries from anybody else about this quarter

A I do not know.

Q It is alleged that Hoffman was enquiring from your husband and could get no information regarding this quarter. You don't know anything about that?

A No I don't.

Q Do you know that in connection with the sale whether your husband was paid anything or not?

I know

and was asked if and I think you should know
that this house is no relative

as I mentioned in that house
for some reason

and a few more in the

was a few more in the
five and six hundred dollars in
the house

which is the

the house is the
and the

a few more in the

the house is the

and

the house is the
the house is the

A No I do not know.

Q All you know is that Boness buys it for \$332 and within a year sells it for \$2880?

A Yes. I had to look that up for you.

Q And is this statement correct?

A Yes. I looked it up in the records.

Q Did Boness ask your husband whether any land was for sale or did your husband go to Boness?

A I don't know anything about it.

Q Now do you know about any financial relationship between Mr. McKinley and your husband. Is Mr. McKinley security for your husband?

A No.

Q Was he ever?

A Not that I know of. But he bought two cars from him.

Q Did you ever see the notes?

A No.

Q And similarly with Kreye?

A I just know of the two that Mr. Kreye mentioned. One of them at first, the note for \$400.

Q And anything else?

A I forget what you call the other.

Q And when was this note of Kreye's paid?

A I don't know just exactly. It was paid early in the spring.

Q Did your husband borrow money from Strassburger?

A Yes.

Q Was Kreye or McKinley liable on that?

A No. He just borrowed it from Mr. Strassburger alone.

Q I understand you to say at the early part of our examination

that this division of salary was as you thought better for your creditors?

A Yes.

Q Do you know a gentleman by the name of Fred Litzzenberger?

A Yes.

Q I think he claims this stopped him from collecting his money?

A I think we gave him \$100 a *while* ago. He has never been to see us.

Q He has been to see me.

A Yes but not us. And perhaps you do not all know that we have not any more money than we need at the present time, but when we do get it we are not going to let anybody go without it because we are going to try and pay them all.

Q Litzzenberger complains to me that this action of the council stops him from getting his money?

A Don't you think it would be better if he came to us?

Q Well I am not being examined. I would rather go to you.

A He has never been to us.

THE COMMISSIONER: Do you think the average man would think that when a municipal council would split a man's salary up so it could not be garnisheed it would be much good to see him?

A I think really when I worked on the books I was entitled to a little bit.

Q I think you should have got the \$900 perhaps, and the other fellow the \$800, or perhaps get it all.

MR. PARLEE: Have you anything further to add?

A No.

JOHN H. ENDERS called and sworn, testified as follows, examined by Mr. Parlee:

Q It is alleged you had not any right to vote in Division 1.

Where do you reside?

A Well I resided at home.

Q In what division?

A One.

Q Do you reside there or do you reside here?

A Well I am part of the time there and part of the time here.

Q Well what is home?

A Out on the farm.

Q Do you have a business here?

A Yes.

Q Where do you sleep?

A Sometimes in town and other times at home.

Q What do you do here?

A Selling implements.

Q And how long have you been at the business?

A Since the spring of 1927.

Q Do you go back and forward every night and morning?

A Not every night but most of the time I do.

Q Are you on the voter's list here in the town of Stony Plain?

A No.

Q Your name is only on the list in your own home district?

A Yes.

THE COMMISSIONER: And how often a week do you go out there?

A I am out there every week end and Wednesday half holiday and often during the week.

JOHN W. HUNTER, alias and known, testified as

examined by Mr. Hunter

Q. Now you had not seen him for some time?

A. Yes, I had not.

Q. How long had you not seen him?

A. About a year.

Q. Now, did you see him on the 15th of May?

A. Yes, I saw him on the 15th of May.

Q. How long had you not seen him?

A. About a year.

Q. Now, did you see him on the 15th of May?

A. Yes, I saw him on the 15th of May.

Q. How long had you not seen him?

A. About a year.

Q. Now, did you see him on the 15th of May?

A. Yes, I saw him on the 15th of May.

Q. Now, did you see him on the 15th of May?

A. Yes, I saw him on the 15th of May.

Q. Now, did you see him on the 15th of May?

Q So that any time you are not actually engaged in business you spend it out at your father's place?

A Yes.

Q Week ends and holidays and half holidays, and so out in addition to that. Have you a house here?

A No.

Q Got a room here?

A I have a room in the shop.

Q And where do you get your meals?

A In there.

Q Yourself?

A Yes.

MR. BRYAN: You have been sick a good deal?

A Yes.

Q And that has necessitated you being home quite a bit?

A Yes, and I am troubled with diabetes and I cannot eat at any place.

Q And you spend as much time as possible at your home?

A Yes.

MR. PARLEE: Well I do not think there is any^{thing} serious about the whole matter. He just voted.

THE COMMISSIONER: Do you think there is anything serious about the voter's list at all?

MR. PARLEE: No.

THE COMMISSIONER: I think it was a very irregular election but very honest.

my little you are wonderfully kind and I thank you very much

out at your father's place?

and his mother and his half

have you a house here?

I don't have any all

has been very kind and

troubled me in the

and a very kind

: Tell I do not

there, he just

for you this

is that all

Tuesday, August 18, 1931, Inquiry
resumes at 10:00 A.M.

GEORGE HINKEL called and sworn, testified
as follows, examined by Mr. Parlee:

Q In whose division do you reside?

A Goerz.

Q I understand you have some information. You know the subject
of this inquiry?

A Yes.

Q Have you some information to give his Lordship. Do you know
of any irregularities or misconduct or anything improper in
connection with the transaction of the affairs of this district?

A No.

Q Mr. Coggles tells me you received some more money than you were
entitled to?

A I did not receive any money.

THE COMMISSIONER: Were you working on the division?

A I did some road work.

Q Did you get any money for it?

A I worked it off my Dad's taxes.

Q Did you have any trouble about any money that was paid to you.
Did you ever get too much or too little or anything like that?

A No I do not think so.

Q Did you have to hand any back?

A No.

RECEIVED, January 10, 1931, Tuesday
Postmark at 10:00 A.M.

RECEIVED, January 10, 1931, Tuesday

RECEIVED, January 10, 1931, Tuesday

RECEIVED, January 10, 1931, Tuesday

RECEIVED, January 10, 1931, Tuesday

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RECEIVED, January 10, 1931, Tuesday

RECEIVED, January 10, 1931, Tuesday

RECEIVED, January 10, 1931, Tuesday

Q Do you remember Detective Coggles seeing you and talking to you about this matter?

A Yes.

Q Tell us what you told him?

A I received a cheque once that did not belong to us.

Q Well tell us all about it.

A There was a cheque came to me which did not belong to us.

Q Well what amount was it?

A Something around \$27.00.

Q When?

A Before Christmas.

Q What year?

A 1930.

Q How much?

A I don't know whether it was more or less than \$27.00.

Q And what did you do with it?

A Turned it back to Pidgeon again.

Q And what did Pidgeon say about it?

A It must have been a mistake.

MR. PARLLE: Had you done any work?

A I think I did about two days work.

Q And how much did you receive?

A Everything went off my Dad's taxes.

Q Did you receive a cheque?

A Yes.

Q How much was it for?

A \$27.00.

Q And was that more than you were entitled to?

A I should not have had a cheque.

I worked it off my Dad's taxes.

Defective copies sealed you and relating to

you told that

a cheque once that did not belong to us.

us all about it.

a cheque came to me which did not belong to us.

amount was it?

\$27.00.

whether it was more or less than \$27.00.

you to with it?

it back to Bidson again.

did Bidson say about it

been a mistake.

Had you done any work?

did about two days work.

you received?

off by Bidson later.

THE COMMISSIONER: The work you did was applied on your Dad's taxes?

A Yes.

Q So there was nothing coming to you?

A Yes.

Q And you took the cheque back to Pidgeon and he said it must have been a mistake?

A Yes.

Q MR. PARLEE: When was this?

A Before Christmas of 1930.

Q In what month did you work?

A In June or July.

Q What did Pidgeon say when you took it in to him?

A He said it was a mistake and it was not mine.

THE COMMISSIONER: Was the cheque issued?

MR. DUNCAN: Your name is George Hinkel?

A Yes.

Q And your address is what?

A Stony Plain.

Q And there is another George Hinkel lives near Mewassin?

A Yes.

Q And the secretary told you the cheque was mailed to you by mistake and it should have gone to the other George Hinkel?

A Yes.

Q And it was sent afterwards to George Hinkel?

A I don't know anything about that.

Q And Mr. Goerz told you the same thing?

A I do not know.

R. C. HOWAT recalled, examined by Mr.Parlee:

Q You are sworn and still under oath?

A Yes.

Q Mrs.Pidgeon yesterday in her evidence stated that these three cheques were taken to you about December 15th, one number 421 for \$15.75 payable to J.R.Prussia; another one number 543 for \$49.05, being re James Prussia; and another one number 424 for \$33.72 re Paul Kanaska?

A Yes.

Q As I understand her evidence you accepted one for \$49.05 as being the Prussia matter?

A Yes.

Q And you accepted the one 424 for \$33.72?

A Yes.

Q And the other cheque for \$15.75 you refused. I gather from her that what she thinks is you received this one of \$15.75 and the one of \$38 you got in your mind by the \$33.75. Was that the transaction? Was the \$15.75 offered you that day?

A I don't know about that one that day. But the one I did not take Mr.Pidgeon took it back and he said he did not know what it was for and probably Mrs.Pidgeon would know. Mr.Pidgeon pinned that cheque on to his papers he had with him that day and I told him if he could not find out anything about it to destroy it. Well they neither said anything to me about that later, but the cheque I refer to is the one that is still a mystery as far as I am concerned.

Q For \$38?

A Yes. I asked him to destroy it if it was a mistake. Well when

J. C. HOWARD recalled, examined by Mr. [unclear]

asked under oath

Yesterday in his evidence stated that one [unclear]

asked to you about [unclear]

payable to J. R. [unclear]

with to James [unclear]

Paul [unclear]

stand per evidence you accepted in 1944

Personal matter?

and the one for 1944?

change for 1944 you received. I return to you

from this is you received this one of 1944

you got in your mind by the 1944. And that one

has the 1944 ordered you [unclear]

about that one that day. But one I did not [unclear]

look it over and he said he did not know what it was

Mr. [unclear] would know. Mr. [unclear] planned that

papers he had with him that day and I told him

about it to destroy it.

Now said anything

he got back to the office he should have phoned me and said what he found out about that cheque, and I have not heard that yet.

THE COMMISSIONER: You still say they gave you a cheque for \$38?

A The cheque I have in my mind is none of those cheques as far as I know. I might make a mistake about that but the cheque I gave Mr. Pidgeon to take back and destroy I do not know if it is one of those cheques.

Q Would it be the \$15.75 cheque?

A I could not say.

Q She infers that the one you refused is the \$15.75 one?

A Well it was pinned on to the papers.

Q Your name was on the cheque you refused?

A Yes. It was made out for R.C. Howat.

Q And the \$32.72 for Paul Kanaska you accepted?

A Yes.

Q And the one for ~~\$49.05~~ you took?

A Yes.

Q And the one you declined to take was in favour of R.C. Howat?

A Yes and it was for an amount over \$30 and I asked him to take it back and if it was not for me to destroy it.

MR. DUNCAN: You told my friend Mr. Parlee you kept those two cheques?

A There was a credit made for them.

Q Mr. Pidgeon took all three back to Stony Blain?

A Yes but this was separate from the others.

Q You mean he presented three cheques to you?

A This other cheque had nothing to do with it. My taxes were paid and I said: "Take that back and destroy it, I don't believe that

as a 10 Office he should have shown me and said:
I found out about the cheque, and I have not heard that

MESSAGE: You still say they have your cheque for 500
pounds I have in my mind in none of those cheques. For me
I might make a mistake about that as I gave
to take back and destroy I did not know if it is one
of those.

be the 515.75 cheque.

not say.

that the one you referred to the 11.75 one

was pinned on to the picture.

was on the cheque you referred?

as made out for M.O. Howard.

72 for Paul Karslake you destroyed?

for 49.75 you kept?

one you decided to take was in favour of M.O. Howard?

for an amount over 500 and I asked him to take

and it was not for me to destroy it.

You told my friend Mr. Charles you kept those two

made for them.

is for me." That is as far as my memory will allow me to go.

I might be mistaken but that is my memory.

Q You remember the day Mr.Pidgeon was down to Duffield and he brought you three cheques?

A Yes I will admit that.

Q And that ~~was~~ was the only occasion he ever offered you any cheques?

A Yes.

Q And you endorsed two of the cheques and told him to take it back and apply it on your taxes?

A Right there.

Q And you got the receipt for \$72.02?

A Yes.

Q And you got change from Mr.Pidgeon of how much?

A I don't remember. I paid him some cash besides.

Q Wasn't it figured out on the sheet opposite?

A Yes.

Q And you got \$10.75 change?

A Yes.

Q And one cheque was over?

A Yes one cheque went back to Stony Plain.

Q And you are quite fair in the matter. You cannot say whether that is the cheque or not?

A I am sure my own name ^{was} on it. That is all I can say about it.

Q You are not suggesting to this inquiry that Mr.Pidgeon stole a cheque or was trying to bribe you?

A No I would not like to say that. I said I thought he made a mistake and I asked him to destroy it if he found out he had made a mistake. At that time I took it as merely a mistake on Mr.Pidgeon's part.

Q At that time Mr.Prussia was away in the Old Country?

"There is a law as my country will allow me to go."

Yes but that is my country.

The day Mr. Wilson was down in the field and he

is in three chapters?

Will admit that.

Was the only occasion as ever offered you any suggestion?

ad two of the chapters and told me he was it back

Why is it on your terms?

The receipt for \$72.00

change from Mr. Wilson of New York

Remember, I paid him more cash than

he showed out on the check opposite

\$10.75 change?

Why was that?

Went back to New York

to take in the matter, for cannot say whether that

is or not?

Was

own name on it. That is all I can say about it.

To this inquiry that Mr. Wilson says

A Yes.

Q And he had earned more wages than the \$49 cheque?

A Yes.

Q And there was a balance still coming to him?

A Yes.

Q And he received the balance later?

A Yes.

THE COMMISSIONER: Did you only have the one transaction in which this \$38 figures?

A As far as I can remember after the taxes and everything was squared up there was still a cheque went back pinned on Mr. Pidgeon's papers to go back to Stony Plain to be enquired what it was for because I did not know anything about it and did not know it was coming to me in any way and I have never heard of that cheque since. I thought probably Mr. Pidgeon next day would phone me and explain it when he found out from Mrs. Pidgeon because he said probably Mrs. Pidgeon would know something about it.

MR. DUNCAN: He would not have the orders with him and he would not know anything about it then?

A Yes that is right enough. That is as far as I can go. I do not know anything else.

THE COMMISSIONER: Who was the Reeve of the Municipality?

A This year Mr. Fred Kreye.

Q How do you appropriate your road monies?

A So much for each division pro rata.

Q And when you make your appropriation do you have a program before you of where that money is to be spent in each division?

A Yes, according to the Act each councillor is supposed to state

where he is going to spend his money all over his division pointing out the places on the different road allowances.

Q Does he file his estimate with the council setting forth in writing where the money is to be spent?

A Every councillor should do that.

Q But do they do it?

A It has been neglected. It has been done sometimes but not always.

Q Well what is your general rule?

A Well that is the general rule but it has been - for example the first meeting of the year a councillor would say: "well I will bring that in at the next meeting, I have not been over my roads yet." It is brought up earlier in the spring before the councillors have decided where they will do the work and it has been put off on that account.

Q And without the statement before you as required by the act you allot so much money to a division?

A Yes.

Q And in the practical result the councillor decides himself where that will be spent?

A Yes.

Q And the five councillors have no check over the sixth councillor?

A No.

Q And that is the practice too?

A Yes.

Q I suppose you all understand as councillors that before the appropriation is made that each councillor has to prepare his estimate for his division and present that to council?

A Yes.

a going to spend his money all over the Division

and out the places on the different road sidewalks.

He is his estimate with the council. I think it

where the money is to be spent?

the council should do that

do they do it?

negotiated. It has been done sometimes and not

is your general rule?

is the general rule but it has been

meeting of the year's committee only

that in at the next meeting, I have

It is brought up earlier in the spring before the

have decided where they will go and

off on that account.

the statement before on a regular basis

as much money to the Division?

the practical result the council has decided himself?

the council has decided himself?

the council has decided himself?

Q And when the money is spent it is spent in accordance with that appropriation?

A Yes.

Q Were all the councillors aware of the provisions of the statute in regard to over expenditure?

A Yes.

Q And were they aware of the fact that the money could be recovered back from them if they overspent?

A Yes.

Q And also that they were liable for penalties?

A Yes.

Q But with full knowledge of these facts they openly disregarded the Statute
(under which they were operating?

A Yes.

Q And that has gone on for a long time?

A Yes.

Q Do you think that is good administration?

A No.

Q And I suppose you would not be adverse to having that all cleaned up in the future?

A No, sir.

Q And you would not have any grievance against any ratepayer if he sued somebody or if the council sued some councillor for two thousand or three thousand dollars if he overspent. You see, these provisions in the statute are not for the benefit of the councillors but they are for the protection of the ratepayers and all councillors owe a duty to the ratepayers generally.

But I suppose this just arises by carelessness?

A Yes. I do not think it is done intentionally at all.

The committee were of the view

to over expenditure

they were of the view that the money could be recovered

them if they overpaid

that they were

it with full knowledge of the fact that they were

which they were operating

has gone on for a long time

think that is good administration

you would not be advised to think that it closed

is a matter

to not have any reference against any individual

ready or if the council and some committee for

and of these thousand dollars it is overpaid. You see

no statute are not for the benefit of

Q You do not know of this over expenditure of any councillor making a profit for himself?

No, absolutely not.

Q It is just a disregarding of the rules. Now you have three market roads in this division?

A Yes.

Q One here and one at Carvel and one at Duffield?

A Yes.

Q They run north and south?

A Yes.

Q Are there any other roads in connection with which you received a provincial grant?

A No, these roads you mentioned are mostly the capital grant roads. There is another road, an income grant road which can be spent anywhere in a division. But the engineer of the Department of Public Works likes to know where that money will be spent and we have to state to him where we will spend it so he can check on the work after it has been done.

Q Mr. McKinley referred to the capital grant. What do you mean by the capital grant?

A That is a grant that the Government lays aside for market roads. An income grant is a grant that is laid aside to be spent any place in the municipal district where it will do some good.

Q And have you power as a councillor to direct where the income grant will be spent?

A Yes.

Q And how do you appropriate that money - separately, or do you add it on to the taxes?

A Add ^{it} on to the taxes.

Q And just apportion it?

... of this over expenditure of the Council for

a profit for himself?

Just a misunderstanding of the rules. No, you have three

in this day only

and one at Givney and on at Givney?

a month and a half?

any other roads in connection with you received

at present?

roads you mentioned to me? ...

in another road, at present, what road which is in

in a division. But the engineer of the Department is

Worke likes to know where that money will be spent and

to state to him where it will spend it? so he can check

with after it has been done.

they referred to the capital grant. What do you mean by?

capital grant?

a grant that the Government pays out for market roads

some grant is a grant that is laid aside to be spent any

where it will do some good.

A Yes, and there is a minute on the books saying that all Government grant shall be met out of the general account, that minute has only been in existence for three years. Before that divisions made their grants 50-50 with the Government out of their own division money. It seemed to work hardship on some divisions to meet the Government grant in that way so it was decided that that grant be always met out of the general account.

Q So that when you get the grant from the Provincial Government it is paid directly to the secretary treasurer?

A Yes.

Q And that applies equally to capital and income?

A Yes.

Q And it becomes part of the general revenue of the municipality?

A Yes.

Q And you estimate your grant on the total of the tax levy, income grant and capital grant and just apportion it in a lump sum?

A Yes.

Q What check have you to see that the capital grant goes on market roads if you do not get the estimates?

A Well Mr. Day the engineer asked the councillors to mark all money spent on the capital grant and mark it "road grant" so he could get the payrolls and see the money was actually spent on that road.

Q Well I do not suppose it is a matter of tracing the dollars but it is a matter of having a sufficient amount of work done that would entitle the municipality or each division to its share of the Provincial grant?

A Yes. If the work is not done according to the standard as laid

There is a minute on the books saying that all
the grant shall be met out of the general account.
has only been in existence for three years.

divisions made their grants 80-20 with the
out of their own division money. It seemed to work
in on some divisions in most the Government grant in
way so it was decided that that grant be always met out
General account.

Now you get the grant from the Provincial Government
directly to the secretary treasury?

applies equally to capital and income?

part of the general revenue of the municipality?

estimate your grant on the total of the tax levy, because
capital grant and just apportion it in a lump sum?

have you to see that the capital grant goes in a lump sum?
You do not get the estimate?

Day the engineer asked the council to make all money
in the capital grant and ask it "road grant" so he could
and see the money was actually spent on that

down by the Department they have the right to cancel the grant. It has got to be up to a certain standard.

Q So that the provincial engineer is not particularly concerned as to where you spend the money but that you do a sufficient amount of work on these market roads to entitled you to the provincial grant?

A Yes, yes.

Q Do you get that Provincial grant before you do the work or after?

A We have been getting that grant generally in the Fall of the year when the engineer has inspected the work. It generally comes in around October or November. The work is all done and paid for in a way as far as the bank will allow us to draw on it before the grant cheque comes to the district.

Q MR. ENGLISH: I think the witness has misunderstood your question. Is it not a fact that the engineer comes out and you enter into a contract with him as to where the money will be spent?

A Yes but he asks the council where we will spend it and we decide it to spend it anywhere and he says: "Well it is O.K. with me, it is all right."

Q But once having entered into that contract you cannot divert it elsewhere?

A Oh no.

THE COMMISSIONER: And what else have you outside the market roads and the general road allowance?

A That is all.

Q Would you know offhand what your capital grant would be for 1930?

A It is \$2000.

Q And your income grant?

A About \$1,999.

Q And your total levy assessment?

A \$3000 more or less.

Q What rule do you follow in apportioning the divisions?

A We have been doing it pro rata according to the assessment.

Q And when you do your road work what rule governs on the amount of road work to be done?

A You appoint a foreman and you say to that foreman to go ahead and do certain work and to spend so much money on that piece of road. Now it has occurred with all councillors and all divisions that these foremen have when the payrolls went in exceeded the amount that the councillor asked them to do, some a little and in some cases big enough to surprise a councillor, anyway.

Q And surprised the tax payers I suppose. I suppose they got a surprise of that right from the main highway to Edmonton Beach, \$2,500 to \$3000?

A Yes. You can readily understand without an engineer figuring out the work for either a councillor or a foreman, if a piece of road is torn up and is at a certain stage when the foreman has already spent that money he has probably to spend some more to get it passable and that is where trouble comes in but there is no councillor or foreman able to figure that to a dollar.

Q But you would think \$2000 or \$3000 or \$1200 is a little excessive

A Yes it is excessive. But that is the only case it has gone to that excess.

Q And it is perfectly possible when the money is spent to close the work down and then the councillor from the division come back to the council as a body and get an emergency appropriation to complete that?

A Yes, that would be quite in order.

or less.

as you follow in accordance with the findings

don't it go into account to the assessment.

you do your work what this covers in the amount

work to be done?

a foreman and you say to that foreman to do what

in work and to spend the money on that place

Not it has occurred with me. In addition and all

that these foremen have when they're out there in

the amount that the council

and in some cases big enough to justify a council.

the tax payers I suppose.

can really understand without in least

for all the council or a foreman.

I don't know up and is it certain that when the foreman

spend that money he has

possible and that is where trouble comes in that

either or foreman able to do that in a letter.

I would think \$2000 or \$3000 or \$4000 is a little excessive

ive. But that is the only case it has come to.

when the money is spent to close

Q And that probably would be the better way?

A Yes the best way to do it.

Q And I suppose if you adhered strictly to the Act that the rate-payers in this division are like all others, they would criticize you a lot for not going ahead and spending the money?

A Well for not giving them roads as soon as they want them.

Q But I think it is better as a whole to close down the road when the money is spent and let them yell until you have an emergency meeting?

A Yes. And this district is not the only one. Our friends in Spruce Grove east of us overspent \$6,000 last year. Every one of them is over spent and it seems to be a complaint in all municipal districts.

Q Yes. And I suppose the only remedy is to have the Government step in?

A Yes it is a remedy.

Q We have been here for six or seven days in addition to the many days Mr. Parlee has put in, and Mr. Coggles. At the outset I endeavored to ascertain what was the cause of the friction and the necessity for this inquiry and somebody suggested that probably it was political; another man suggested that it was petty jealousy; somebody else suggested it was thirty cent wheat.

Now we have had evidence of a number of irregularities, alteration in time sheets and wrongfully issuing of cheques and the signing of time sheets by people who were not authorized and the certification of time sheets when work was not done and time sheets purporting to be signed by certain people as foreman when they never signed them and little acts of courtesy on the part of foremen without any dishonest motive, the excessive

1934 - 1935

May 10 to 11.

It was suggested originally to the committee that the money
of this Division be like a "sinking fund" and that the money

be used for the purpose of spending the money.

It was suggested that the money be used for the purpose of

It is better to have a hole in the pocket than to have

It is better to have a hole in the pocket than to have

This district is not the only one. In fact, it is the only

of us overheard \$5,000 last year. Every one of

and it seems to be a complaint in all circles.

and I suppose the only remedy is to have the money

a remedy.

It is better to have a hole in the pocket than to have

has put in, and Mr. Douglas, of the

to ascertain that was the case. It is better to have

for this inquiry and somebody suggested that

was political; another man suggested that it was political;

anybody else suggested it was a little different.

of a number of individuals, and

and a very lively discussion of the money and the

It is better to have a hole in the pocket than to have

of course, the money

It is better to have a hole in the pocket than to have

expenditures over the appropriations and the grant. Would that be fair to assume that all these irregularities which cover a period have become known to the tax payers and even discussed amongst them and have perhaps assumed a magnitude that they are not entitled to, and that that has created a feeling of unrest, distrust and dissatisfaction throughout this municipality for the last seven or eight years?

A I think you are perfectly correct.

Q And when they have talked so much and there has been some foundation in irregularities then everybody has got suspicious?

A Yes.

Q And they have accused people of doing things from an ulterior motive or for petty graft or perhaps things like that and it has become more or less of a seething mass and had to come to a head?

A Yes.

Q What I suggested before, and I do not know whether I suggested it to you, but don't you think it was good policy on the part of any tax payer when he has knowledge or intimation of any irregularity to go and see his local councillor?

A Yes, sir.

Q And then if he gets no satisfaction ^{to go} and see the council as a whole?

A Yes.

Q Or go and see the secretary treasurer and have these things straightened out?

A Yes.

Q And many would be straightened out or ironed out without very much difficulty?

A I would think so.

Q So I suppose that you think on the whole that this investigation instituted by the Honourable Lieutenant Governor in Council was

justified in clearing the atmosphere?

A I think it was, yes.

Q And it ought to be beneficial to the tax payers and to the councillors and the whole community?

A I think it will be, yes,

MR. BRYAN: You were mentioning about income grant, that an arrangement was made with the engineer for your expenditure of income grant?

A Yes.

Q What is the case with regard to capital grant?

A The capital grant must be spent on the market roads and the councillor will say to the engineer where he thinks any money should be spent on the market road and the engineer will say that is O.K. and he will make out a form and the contract is signed

Q And if it is not agreeable to the engineer?

A Well he will suggest to spend it in some other place.

Q But it has to be a mutual agreement between the two of them?

A Yes.

Q And if the councillor spends that capital grant on that market road at any point not agreeable to the engineer you do not get your money?

A Yes; it is cancelled.

THE COMMISSIONER: That applies to the capital grant?

A Yes.

Q And is the same true with regard to the income grant?

A The Department are not so strict with the income grant.

Q And with your own grant, the tax levy, they can decide where they spend that themselves?

A Yes.

in relation to the company?

to be beneficial to the tax payers and to the

and the whole community

will be, yes,

You were mentioning about income tax, that an

was made with the engineer for your expenditure of

also with regard to capital?

about must be about on first taxes and the

will say to the engineer when I think my money

be spent on the market road

and he will ask me a form and a contract is signed

not responsible to the engineer

suggest to send it in case that he

be a mutual agreement between the two

conductor spends that capital cost in that other

not responsible to the engineer you do not get

cancelled.

That applies to the capital cost

to the income tax

with the income tax

- Q Have you any rule as a council whereby you spend your tax levy along roads in proportion to the amount of the assessment?
- A Well I have always tried to spend my tax money on the road where that money comes from as near to the tax payer as I possibly can where it will benefit him as much as it can.
- Q Now take this for instance. You have two miles of road. You have on that perhaps good farms and perhaps 20 or 30 settlers and seven or eight miles away you have two miles more of road in not a good farming district and you only have two or three settlers. Now I suppose you would like to spend the money among the people who pay the taxes to assist them in the highways and it is unfortunate for the other man who lives in the other two miles away?
- A After the roads have been put in good shape we take those tax payers further back and improve the roads further on. Before that those people were called to help these road and when their road is built we take them to help the other fellow - their money and them with it.
- Q We had some complaints here about roads being - about a tendency to commence them at certain places and have the work done in the spring to the advantage of those settlers. I suppose it is possible to avoid some complaints like that?
- A Yes.
- Q But as a councillor and as a council sitting as a body has it ever come to your attention that there has been any effort on the part of the councillors as a whole to discriminate?
- A No I don't think so.
- Q What you all try to do is to distribute your money fairly and do your work fairly?
- A Yes and no councillor has been unfair as far as I know in any councillor's division as to where he will spend his money.

Q MR. BRYAN: You mentioned about the difficulty you get into when a road boss rips up a road and you discover you cannot put it back into shape without spending more than you anticipated?

A Yes.

Q Do you know what was done on this Beach road. Do you know if they ripped that from end to end?

A They certainly did.

Q They went down and ripped it from end to end?

A Yes.

Q And then you got something you could not do anything with?

A Yes.

MR. PARLIE: You requested me last night to ask Mr. Pidgeon to prepare a statement from 1923 to date, setting out year by year the various divisions and how much was allocated and how much was spent.

THE COMMISSIONER: Yes.

Q Do you want that statement from Mr. Pidgeon?

THE COMMISSIONER: I want it some time before we close. I think Mr. Howat practically cleans up that. He says there has been no unfair division of funds; that what they do - they do not have their estimates before them as they should but when they allocate the funds they do it on the basis of the assessment and if division number one has a higher assessment than division number six division number one would get a much larger allocation. Is that it, Mr. Howatt?

A Yes.

DORIS IRENE PIDGEON recalled, examined by Mr.Parlee:

Q You are under oath?

A Yes.

Q Have you anything further to add to what you said yesterday?

A No.

Q When Clausen came in and asked for the Soucy money did he tell you he had left the country?

A That is what I understood. There was some reason that he was away so he could not get the cheques.

Q You told me when I was inquiring from you the week before last - "what about George Clausen and Soucy"and you said:"He said Soucy had left the country."

A Well that is what I understood.

Q You heard the evidence from Mr.Taylor and Matthys of the sum of \$55 given by Matthys to Taylor to give to Mr.Pidgeon?

A I was not here but I read Mr.Pidgeon's note.

Q Do you know anything concerning that?

A Only what I have heard and I do know this much, that I really do not think the money was ever given to Mr.Pidgeon at all and I have always been with Mr.Pidgeon when he went to Duffield and I certainly never remember him taking an envelope back.

Q Do you remember that Mr.Pidgeon brought \$55 from Duffield?

A No he never brought it. I do not remember anything about it at all.

Q The best you can say is you have no recollection of it ever coming

A No.

Q So far as you know did you ever see it?

A No, but I would like to add this much, that Mr.Taylor said Mr. Pidgeon had never been to see him and he had written two letters

and he had never been to see him.

Q Mr.Taylor says he wrote two or more letters?

A But Mr.Pidgeon did go to see him.

Q Have you got those letters?

A No. They were put in Mr.Pidgeon's file and I do not know what was done with them. Mr.Pidgeon went to see him on a Sunday and Mrs.Clift and I both very distinctly saw him going and knew all about it.

Q Mr.Taylor said he had written two or three letters to Mr.Pidgeon to which he had no reply. Did you answer the letters?

A No. Mr.Pidgeon went to see him.

Q He said also he had made arrangement to meet Mr.Pidgeon on Sunday

A Yes.

Q And that Mr.Pidgeon did not arrive?

A He went to see him on a Sunday. It rained one Sunday and we went to see him the next Sunday and Mrs.Clift can verify that too, because she was there.

Q THE COMMISSIONER: Did you see Taylor and Mr.Pidgeon together on a Sunday?

A No but he went over to see them and when he came back we asked him about it. They only live across the street from Mrs.Clift's.

Q Well Mr.Taylor swears positively he did not?

A I know Mr.Pidgeon went. I seen him go into the store. They live in the store.

Q On a Sunday?

A Yes.

Q What Sunday?

A I do not know what Sunday it was. I am not sure of the Sunday but it was on Sunday and Mrs.Clift remembers it distinctly too.

Q MR. PARLEE: You have nothing further to add to that Taylor and Matthys' matter?

A No.

Q Donald Lawrence Davidson gave evidence he did some work in 1930 and made out a time sheet and never got paid. Do you know anything about that time sheet?

A I don't remember it. What time did he make it out.

Q He says last spring or early summer, dragging the road at Inga corner. Did you hear anything of it?

A No. If it had been brought to the office it would have been paid.

Q MR. BRYAN: There was some mention here of certain stubs of chequess. You have your books audited each year?

A Yes.

THE COMMISSION^{er}: Does Mrs. Pidgeon know anything about that overpayment which Mr. McKinley is alleged to have said was only a little bit of graft and the rest have had theirs "and you might as well get yours?"

MR. PARLEE: That was William. Do you know anything about that?

A Not at all.

THE COMMISSIONER: Williams was paid?

A Yes.

MR. PARLEE: Overpaid?

A I don't know about that but whatever was put on the time sheet.

Q But he said he was overpaid for his work?

A I don't remember about that.

Q MR. BRYAN: How much would you pay him?

A I cannot say.

Q But you would pay him what appeared on the time sheet?

A Yes whatever appeared on the time sheet and if it was an overpay-

ment the auditors would find it - if it was an overpayment on my part.

THE COMMISSIONER: I suppose you have no hesitation in admitting that you may make a mistake in overpaying him?

A Sure but I don't know of it.

Q MR. PARLEE: Do you know anything about Lyons and Asselford. I think Mr. Francy said they had not been paid?

A I think on the time sheet which was brought up here the other day that Mr. Lyons had not signed the time sheet and Mr. Asselford signed it on the line beneath and the cheque was sent to Mr. Asselford instead of to Mr. Lyons - the name Lyons was not signed on the time sheet at all.

THE COMMISSIONER: Why would that cheque be sent by your office to Asselford?

A I don't know. Even the auditors when they checked the time sheet made the same mistake I did. It was very easily done and how I do not know.

Q Well you would look to see who did the work?

A Yes.

Q All Asselford does, he just certifies that this man did the work. Why wouldn't you make the cheque out in the name of the man?

A Well if I had the time sheet perhaps I could tell you. I think Mr. Francey mentioned something about it not being paid in time but we did not get our money till December last year. It really was not our fault it was not paid.

A I do not want you to think I am questioning your honesty. I am trying to find out why we have such an accumulation of errors and irregularities.

MR. PARLEE: Here is the time sheet Exhibit 20.

A When I was making the cheques out I took Asseford's name.

There was no signature there.

Q No signature on the first line?

A No and that is how I happened to do it and I sent Mr. Asselford the cheque and after the end of the year, I forget just when, it would be at the end of January I believe, it was Mr. Short mentioned it to me that Mr. Lyons had never got his cheque and when I looked the time sheet up I found Mr. Asselford had the cheque.

Q Is this in as an exhibit?

A Yes.

Q Now the first line is the name of the man who worked?

A Yes, A. Lyons. But here is where we take them (indicating).

Q And he is down as foreman?

A Yes.

Q And then he has ten hours work per day for eight days, Exhibit 1, and he has six?

A Yes.

Q That is 76 hours work and the extensions are carried forward on the line?

A Yes.

Q And James Asselford's name is not on that line?

A I know it is not.

Q Well what in the world is there to suggest to you when James Asselford's name does not appear in any way shape or form in connection with that to send Asselford a cheque?

A Well it was a mistake. I know it was.

Q Well why such an awful mistake when there is nothing to suggest it?

A Well it was so easy that I know when the auditors checked the

time sheet they never discovered the mistake at all.

Q Who were the auditors?

A McCannel Brothers in Edmonton.

Q And did McCannel Brothers look at the cheque?

A Certainly. They have all the cheques.

Q And they take their cheques and check over the time sheets?

A Yes.

Q And do you mean to tell me that is the kind of audit you get?

A They were supposed to be good auditors.

Q I don't care whether they were supposed to be good or bad.

Here is a cheque issued on account of Lyons' work?

A Yes.

Q And there is not one single tittle on that line to suggest Asselford should get a cheque?

A Well I acknowledge I made a mistake.

Q And do you mean to tell me that auditors will pass that.

Did the auditors pass that?

A Well they must have because they made no note on it.

Q Can you suggest any reason to me in the world for such an awful blunder as that?

A No I could not.

Q \$36.70. You would not think that was good secretarial work would you?

A No. I do not make those mistakes every day.

THE COMMISSIONER: Well I have had quite an accumulation of mistakes before me in the last seven days - too many for an office of that class.

MR. BRYAN: I was speaking to you about the stubs and the auditors. Do the auditors take the stubs when they are making their audit?

A No.

Q Do they check up the cheques with the stubs?

A No.

Q You have a Government inspector. Has he ever asked you for the stubs?

A No.

Q You have never been asked for the stubs?

A No.

Q And in consequence what do you do with them?

A We always kept them until the end of the year and then do anything we like with them.

Q The end of the year you mean?

A After the audit.

Q After the audit is done and the cheques are found to be correct you do not bother keeping the old stubs?

A No.

THE COMMISSIONER: Supposing you issue a cheque and it goes astray in the mail, don't you think it would be nice to have those stubs to refer back two or three years or within the period of the Statute of Limitation?

A We would have it in our cash book. All the cheques that are issued are in our cash book.

Q Don't you think the stub would be better than the cash book.

Just to take it out and say: "Here is the stub of that cheque", that is a memorandum made right at the time - immediately?

(No answer).

MR. BRYAN: With regard to the Kimmerly case. Apparently these cheques were issued on the 1st of August and it was some time after that that you discovered your mistake?

A Yes.

Q Now between the 1st of August and the time you discovered your mistake did Mr. McKinley ever speak to you about Mr. Kimmerly?

A No.

Q He made no mention about any arrangement that he had made with Mr. Kimmerly?

A No.

Q No mention of that at all?

A No.

Q When Mr. Kimmerly came to your office you did say that he said he could not pay it back?

A Yes.

Q Was there any mention whatsoever made by Mr. Kimmerly about an arrangement he had made with Mr. McKinley?

A No, I suggested it to him.

Q And he did not say "I have already made arrangements to work this out."

A No.

Q And he had made no arrangement whatever. He made no mention of it?

A No.

Q And what did you suggest?

A That he see Mr. McKinley.

Q Now with regard to the Soucy case. Does Mr. Kreye know anything about this?

A Not that I know of.

Q It was in his division?

A Yes.

Q You did not know anything about it?

A I did not know anything about it until Mr. Coggles came to me about it.

Q It was in Mr. Kreye's division and I want to know whether Mr. Kreye

knew anything about it?

A I do not know.

Q But around the time he did not know anything about it?

A No.

THE COMMISSIONER: I understand you to say you did not know anything about it until when Mr. Coggles went to see you?

A I did not know that he should not have it until Mr. Coggles mentioned it to me. I did not know it belonged to Soucy?

Q You had your records right there when Clausen said "Scratch out Soucy's name?"

A But Soucy never came to see about it and I did not know that he wanted the money.

MR. BRYAN: With regard to the elections. Did Mr. Goerz ever come to you about any changes in the list?

A Well he came and asked me about Mr. Kulak's

Q What did he want to know about that?

A He said he did not think that Valentine J. Kulak, that he did not think he had a right to vote and asked me to look it up and see.

Q And what did you see about it?

A Well Kulak said he had a transfer to the land, and I left his name on the roll.

Q And did Mr. Goerz try to have you put any on the roll?

A No. He checked the voter's list off, as they all do.

Q And the only one he spoke about was this Valentine Kulak?

A Yes.

Q And he did not think he had a right to vote?

A He said he did not.

Q And anyway it was left on the roll?

A Yes because I think it ought to be.

MR. BURDAR: Do you remember the Short cheque?

A Yes.

Q Was that straightened up yesterday?

A No.

Q Just tell his Lordship about that.

A The short cheque was lost in the mail. That is what happened to it.

Q It was mailed to him for his money?

A Yes in December and it was lost in the mail and I think it was some time in February he came to the office about it and at that time we did not have money enough to pay out standing cheques.

Q And what did you do out the outstanding cheque?

A Well I was talking to him and I told him when we got our money we would send a cheque and if not I would apply it on his taxes this year.

Q And what did you do about it?

A Well it is cancelled.

Q And this Asselford matter. You corresponded with Mr. Asselford about returning the money?

A Yes.

Q And he wrote you?

A Yes and asked for it to be applied on his taxes.

THE COMMISSIONER: You gave the Lyons' cheque to Asselford?

A Yes.

Q Then you wrote Asselford and asked him to return the money?

A I asked him if he got it and to return it and he wrote and said he had spent it. He has several quarters of land -

Q You gave him a cheque you should not?

A Yes.

Q And you wrote him to return the money and he said he had ~~spent~~ spent it?

cheque the

A Yes.

Q And he told you to charge it up against his taxes?

A No to charge it up against his land and he would pay it.

MR. DUNCAN: In other words, he asked Mrs. Pidgeon to charge this \$36.70 against this quarter section?

THE COMMISSIONER: And what was done about it?

A It has not been done because we are just sending our tax notices out.

Q But did you as secretary treasurer make out a report on that case and forward a report to the council to be dealt with?

A No, Mr. Francey came to me about it. I talked with Mr. Francey a couple of times about it.

Q And what did he say?

A I don't remember. He was very nice about it. He did not say anything about it very much.

Q It is all very well to be very nice with other peoples' money. But did Francey tell you to collect that?

A No, I told him I had written to Mr. Asselford.

Q And did he tell you you would have to put that amount of money into the treasury?

A No. I intended to.

Q I do not doubt your intention. But I want to get the attitude of councillors towards people who get paid for work they should not get paid for - what steps they take to protect the ratepayers against such losses?

MR. PARLEE: Has Lyons got his money?

A No he has not got his money yet.

Q And all your envelopes contained this notice ("return in ten days?"

A Yes.

Q And about this cheque that has gone astray.

A It is not come back. I do not know where it went astray and Mr. Short does not remember getting it in the mail.

Q THE COMMISSIONER: And was the cheque ever cashed?

A No, it has never come back from the bank and there is a stop notice in the bank.

Q But what I ask you in connection with this, and it applies to all others - when you find you have made a mistake and have paid some one you should not have paid do you make a report of the matter to the council?

A No I did not.

Q Why?

A Because Mr. Francey asked me about it and I told him all about it.

Q Did you report it to the Reeve?

A No. Mr. Lyons never came in about it.

Q That is all right. But here is the municipality has lost this money. Don't you think it would be a good idea when you make an error like that to report it to the full council so they can decide what steps they will take to get the money back?

A Well I think it is up to me to get the money back. It is my mistake.

Q I think that is a matter to be dealt with by the council unless you have the money to pay into the treasury.

as back. I do not know where it went away and so.

at present I get it in the mail.

; and was the change over made?

It came back from the bank and there is a stop

and I ask you in connection with this, and it applies to all

When you find you have made a mistake and have sold some

Id not have said do not report it to me.

to

Mid

Mr. Gregory asked me about it and I did not say it.

now it is the money?

I never saw it about it.

The in all right. But here is the municipality and I

money. Don't you think it would be good idea when you

that it is the full council or that

what steps they will take to get the money back?

I think it is up to me to get the money back. It is my duty.

case.

I think that a matter to be dealt with by the council unless

have the money to pay into the treasury.

RUDOLPH HOFFMAN called and sworn, testified as follows, examined by Mr.Parlee:

Q Have you purchased the quarter section known as the white quarter. What is the description of it?

A The Southwest 26-51-1 West 5th.

Q And what did you pay for that quarter?

A \$2880.00.

Q And from whom did you buy it?

A Well I bought it, I do not know from whom, but I heard it was a man named Loness but I never saw him.

Q Did you see the secretary treasurer about the quarter at all - Mr.Pidgeon. Did you live in this district once?

A I had the east quarter of that.

Q Do you own it yet?

A No I do not own anything now.

Q And you wanted to buy this quarter?

A Yes.

Q The White quarter. And did you make any enquiries about it?

A Yes, that was in the winter of 1923.

Q 1923 and 1924?

A Yes.

Q What did you do?

A I wanted that quarter and a man named Myers used to own it and he was not on the place and I wrote to Pidgeon during the winter if he could tell me who owns the place. Well he wrote me back some time and towards spring he came around himself - Pidgeon - towards April some time. Morton?

Q April of what year?

A 1924.

as a result of the investigation, the following information was obtained:

Low, according to the information received from the Bureau of Investigation, is a person who is known to have been in the vicinity of the subject's residence during the time of the investigation.

Has you purchased the subject's residence during the time of the investigation?

Yes, I have purchased the subject's residence during the time of the investigation.

The subject's residence is located at 1234 Main Street, New York, New York.

And what did you pay for that residence?

No, I did not pay for that residence.

I did not pay for that residence, I only paid for the interest on the loan.

How long have you been in the vicinity of the subject's residence?

I have been in the vicinity of the subject's residence for approximately one year.

What is your name and what is your address?

My name is John Doe and my address is 1234 Main Street, New York, New York.

Do you own the residence?

No, I do not own the residence, I only have a lease on it.

And you wanted to buy this residence?

Yes.

What is the name of the person who is currently in possession of the residence?

The name of the person who is currently in possession of the residence is John Doe.

1933 and 1934.

That person is the person who is currently in possession of the residence.

What is the name of the person who is currently in possession of the residence?

The name of the person who is currently in possession of the residence is John Doe.

He came around himself - 1234 Main Street, New York, New York.

Q And what occurred at your place? .

A I was in the yard working and I did not know what he was coming for but finally we talked a while and I asked him about that quarter. Well I did not know whether it was for sale or anything like that at all but I asked him and he said he could find out for me.

Q And did he tell you who owned it?

A No, not at the time.

Q What did he say about who owned it?

A He did not say anything at the time but he said he could find out for me. That was in the spring of 1924.

Q He would find out who owned it?

A Yes and how I could buy it, he would try to find out for me.

So he said he would let me know in a few days and after a few days he wanted me to come down town. Well he did not want me to come down but he said if he could find out he would let me know and I could come to Stony Plain and he would go with me to Edmonton, and we did that. He gave me word in a few days after I came into town and I went into Edmonton with him.

Q He let you know in a few days?

A A few days, shortly afterwards.

Q Did he tell you who owned it?

A No, he did not really tell me when I was in Edmonton.

Q Did he tell you what it could be bought for?

A At the time I was in Edmonton, yes.

Q But before you went to Edmonton?

A Yes.

Q And whom did you see in Edmonton?

A Short & Cross - Mr. Duncan.

THE COMMISSIONER: And what did he tell you - how much?

A He said \$2880.00.

Q MR. PARLEE: Did he phone you to come to Stony?

A I think he phoned me. I don't know exactly how it was but anyway I met him in Stony.

Q When you saw him in Stony did he tell you anything?

A No, he told me to come to Edmonton.

Q Did he tell you he had found out who owned the quarter?

A No I never asked him.

Q And what else did you find out in Edmonton?

A That it could be sold for \$2880 and it was supposed to be cash, and I did not have the cash and I had an agreement for sale on the first place and I was going to trade that in and they would not accept it; it had to be all cash. So finally we thought it over and I took the Canada Life Assurance out there and he gave me a loan on that land and at that time I paid a deposit down for so much providing the loan goes through.

Q That is a deposit on the White quarter?

A Yes.

Q And you raised money to pay the cash?

A I was not sure whether I could get enough loan on there to raise the \$2880 but I took him out there and I did get the loan but it took about fifteen or 20 days by the time the loan got through but the receipt was made out that way that if the loan goes through it is a cash sale at that price and if not then I could not have it of course. He went there and I got the money and paid for it.

Q How much did the land cost you?

A This was my agreement for sale. It cost me \$1200 to take him out there.

Q But did you have to give any discount to get the cash?

A I lost \$500.

Q So the White quarter cost you \$3380?

A Yes.

Q Did you pay Mr. Pidgeon anything for his services?

A I paid him a few dollars.

Q What did he ask for?

A He did not ask for anything at the time, but at the start I told Pidgeon that if he could put me on to who owns that quarter and if I could make a deal I would give him \$50 commission. I thought I could buy it on terms but I told him I would give him \$50 commission if he could put the deal through for me by turning in the agreement for sale, but they wanted all cash and I got the cash.

Q And did you pay Mr. Pidgeon?

A Yes I paid him \$25 of my own will afterwards and I believe I need not have done it because he did not put the deal through the way I asked.

Q When did you first see Mr. Pidgeon about this quarter?

A In the spring.

Q When was the first time you made any enquiries to Mr. Pidgeon about this particular quarter?

A During the winter some time, of 1923. I wrote him a letter.

Q Approximately what month would that be?

A Well from Fall, but I could not exactly say, but it was some time during the winter, but I moved on to that place that year in 1923.

Q And did he reply to that letter?

A I believe he did.

Q And what was his reply?

A I don't know whether he did reply but towards spring he came over

himself. He may have replied but I cannot say, it is so long ago now.

Q And what did he say to you?

A He did not say anything. He came into my yard and we were talking for a while and he told me he could find out for me. At that time I did not know who owned it and he said he would find out for me and let me know.

Q MR. DUNCAN: When Mr. Pidgeon first went out there he did not discuss this quarter with you?

A No.

Q And you asked him if he could find out who owned it and the price?

A I asked him the price, but how much I don't know.

Q And he said he would try and find out?

A Yes.

Q And what did you promise him that day?

A I promised him that day \$50 if he could get a deal for me on that quarter and it takes in that agreement for sale.

Q And later you came to Edmonton in the spring, perhaps a few days?

A I don't know how long after.

Q But at the time he was there in the spring?

A Well it was close to that.

Q And you came to my office in Edmonton or did you not go to Mr. Short first and then he sent you to my room?

A I don't know now whether he took me to your room first.

Q And then we went to see Mr. Boness, didn't we?

A I don't remember.

Q Well I either went to see him or telephoned him?

A I would not say you did or did not, but I never seen him.

Q There was a discussion of terms in my office?

A I said I could not buy this quarter as I did not have the money

but I had this agreement for sale and I said I would turn that in.

Q And you made a deposit on it to our office?

A Yes.

Q And got a receipt for it?

A Yes.

Q Three weeks later you came back?

A As soon as the land was through - about three weeks.

Q And when you came in and got the transfer didn't we go to Mr. Boness' office in the C.P.R. building to get the transfer signed?

A No I never seen Mr. Boness.

Q Didn't we go to his office together?

A No I did not know who owned it and I left it to you to put the papers through and that is all I know.

Q And you paid it?

A Yes and I paid it with cheque and I have got the cheque.

Q You were to pay Mr. Pidgeon?

A Providing he put that deal through like I told him.

Q Was Mr. Pidgeon in the office the last day when you got your transfer, in Edmonton?

A No I do not think he was there.

Q And didn't I ask you to leave me the \$50 for Pidgeon?

A No, you wrote me afterwards.

Q And was it \$25 or \$35 you paid?

A No, it was \$25.00.

Q I had it in my mind it was \$35.

A No it was \$25.00 and I did not think I should pay him anything.

Q But his expenses were discussed the time you were in together?

A Yes.

Q And \$50 was mentioned that day in my office?

A No.

Q Didn't you and Mr. Pidgeon and I discuss that the first day?

A No, I promised him that at home on my own place.

THE COMMISSIONER: What is the purpose of this? This has been before the Court twice and decided. Why am I to deal with it now?

MR. DUNCAN: I don't know.

THE COMMISSIONER: Well there must be some motive behind it.

Is the object to show that Pidgeon was a party to a conspiracy which deprived a man of his land and ultimately mulcted the municipality in about \$4000?

MR. PARLEE: I had never seen this man before and my instructions were these, that Hoffman had come in and asked Mr. Pidgeon who owned the land and Pidgeon kept putting him off until it was sold to Boness. Apparently that is not correct.

THE COMMISSIONER: That is what I gathered. Now am I to understand that you are going to be able to prove that?

MR. PARLEE: Oh no.

MR. DUNCAN: I understood that this \$50 -

MR. PARLEE: Oh yes, and that Pidgeon asked for \$50 and that either \$50 or \$100 was paid.

THE COMMISSIONER: Well I think this matter is sufficiently dealt with because Pidgeon has a judgment against him for \$3800 or something and I think it is already cleaned up.

GEORGE CLAUSEN called and sworn, testified as follows, examined by Mr.Parlee:

Q You reside in Number Two division?

A Yes.

Q And it appears that on two occasions you came in - maybe it was only on one occasion. But in any event it was about money due to Soucy that was paid to you?

A Yes.

Q And Soucy's name was crossed out and you put your name in its place?

A Yes.

Q You have heard all this before?

A I did.

Q And this happened on two occasions. Mrs.Fidgeon gave evidence that you came in and said either that the money was due to you or that Soucy had left the country. Have you any explanation of that?

A I went in there to get my road cheques that day and she gave me one and I says: "There is another one here for me" and she said "No not as far as I can see." So I asked her about this one about Soucy, and while she said: "You cannot get no money on that cheque" well I said: "It should be coming to me by rights." "No" she said "not by the way the time sheet is made out," but she said "We can call up the councillor and whatever he says we will let it go but we will have to scratch that name out and you will have to sign yourself." So whether she phoned the councillor or not I could not say.

THE COMMISSIONER: Who was the councillor?

A Mr.Kreye.

Q MR. PARLEE: Did you tell her that Soucy was out of the country?

A TO THE NEW YORK OFFICE

Received by Mr. [Name]

And it appears that on

only one occasion. But

money that was used to

Yes.

Q And money's not used at all?

Place?

Yes.

Q You have heard all that

I did.

And this happened on

you came in to

money and left

I went in there at 12

"We not as far as I can see."

money, and wife and children

and I should be coming

"Not by the way the time passed"

sell up the account for and answer

all have to answer that part of

whether the phone was on or not I

A He had left as far as I know.

Q Who were the foremen there. Was that '29, '30?

A '30.

Q I am producing to you Exhibit 49. "2F" Soucy's name has been crossed out and you wrote your name there and you received that cheque for \$13.65 and here it appears against "2J", where you received \$45.50. Do you mean to tell us that you did not tell her that the money was coming to you and you wanted the money?

A No I do not.

Q Well her story is different to yours. Was the money given to you?,
THE COMMISSIONER: She suggested that the work was done by Soucy to pay taxes on your land and that she gave you the cheque. Did you tell her that?

A Yes. Soucy was working for me at the time.

Q Tell us what you told her.

A I told her that he was driving my team and working for me.

MR. PARLEE: Was Soucy your hired man?

A Yes.

Q And you were paying him a monthly wage?

A Yes.

Q Well why didn't your name go on the time sheet?

A You have got me. I could not tell you that.

THE COMMISSIONER: Well we have not got you. You have to explain it. Who was the foreman?

A Clarke.

Q MR. PARLEE: And did you pay him?

A I paid him.

Q And does not Soucy say now that you had no right to either one of these sums?

A He has never told me.

Q Has he sued you or threatened you?

A Mrs. Soucy threatened to sue me.

Q For how much?

A For the full amount.

Q What did you tell Mrs. Pidgeon when you went in?

A I told her that that money was coming to me by rights.

Q Both cheques?

A Both cheques.

Q And did you suggest cutting out Soucy's name and putting yours there?

A I did not. She said it would have to be changed before I could get the money.

Q Who took out the name?

A I could not say.

Q You actually signed your name?

A I did. That is my signature.

Q And Mrs. Soucy has been after you for the money?

A Yes.

Q And what about Soucy?

A He has been there too.

Q For the full amount?

A Well Sam was not after the full amount.

Q How much was he after?

A After a monthly wage that I owed him.

Q How much was it?

A \$7.00.

Q And how much did you owe him?

Q Well now I owe him \$3.50.

Q Well that is not very much. But do you think it is right to do

in and get Mrs. Pidgeon to change Soucy's name?

A I don't blame it on Mrs. Pidgeon whatsoever.

Q Well who do you blame it on?

A Well I don't know.

THE COMMISSIONER: Do you think it is right for a secretary treasurer, when the name appears on the payroll to pay the money over to somebody else without any authority from that man whose name is on the payroll -

A No I do not say.

Q Or any correction of the time sheet by the foreman. Have you ever tried to fix this up with Soucy?

A I did.

Q Have you met him?

A No, but I have met her.

Q And what did you do with her?

A I offered to pay her \$3.50.

THE COMMISSIONER: But why should she threaten to sue you for the full amount of the payroll?

MR. PARLET: Is she still threatening to sue you?

A No.

Q Have you any complaints of irregularities or misconduct here?

A I have not.

Q Have you anything further to add?

A No.

Q Did you help Grosskop take away the lumber to Kreye's place?

A No.

Q Did you move anything off the road to Kreye's place?

A No.

Q MR. DUNCAN: Soucy was an employee of yours?

MR. DUNCAN: Did he do the work?

A Yes.

Q And you got some road work from your divisional councillor?

A Yes.

Q And you stayed on the farm and put him out to work on the road?

A We were both on the road.

Q And was he driving your team?

A Yes.

Q And the money was yours?

A Well the way I looked at it.

Q And Clarke was the foreman?

A Yes.

Q And he apparently put down Soucy's name. Is that it?

A Yes.

Q And after Soucy finished up in the Fall how much did you owe him for wages?

A Somewhere about \$7.00.

Q And you paid him something on account?

A Yes.

Q Did you have a settlement that day?

A Yes.

Q And you agreed at how much?

A \$7 or seven dollars and some cents.

Q And did you pay him something on account that day?

A I won't say that day but it was some time later.

Q And that pay sheet gives your quarter section?

A Yes.

Q And the idea was it was to be put to your taxes on the quarter section?

A Yes.

Q And your horses did the work?

A Yes.

Q And he was your hired man?

A Yes.

Q Mrs. Pigeon told you she could not change the pay sheet?

A She did.

Q Unless she phoned the councillor?

A Yes.

Q And who was the councillor in that division?

A Mr. Kreye.

Q And did she phone the councillor?

A She went to the phone. Whether she phoned him or not I cannot say.

Q And how long after did you get this new cheque?

A Well right at noon or just before noon.

Q And did you come back in the afternoon for your cheque?

A I did.

Q And did she tell you she had fixed it up with the councillor?

A Yes. She said it was all right.

Q And you signed your name and got the cheque?

A Yes.

Q Doucy has no claim to this money?

A No.

THE COMMISSIONER: Do I understand from you that after a time sheet is handed in to the council and voted on and approved that she can take it to a councillor and alter the pay sheets?

MR. DUNCAN: Well that is what he says. There is nothing wrong about it. The man who is entitled to the money got the money.

THE COMMISSIONER: Yes but a man who is paid \$1700 a year is not paid to do his business in that way.

A MR. DUNCAN: I fail to see any irregularity. The man got the money who was entitled to it.

THE COMMISSIONER: A time sheet goes to the council and is approved and certified by the council and they should pay according to that time sheet. Have you any evidence this went back to the councillor?

MR. DUNCAN: Suppose there were twenty wrong names on a pay sheet would the secretary treasurer be justified in giving the cheques to the wrong people?

THE COMMISSIONER: No but she would be justified in firing it back to the man who made it out and saying: "Get a proper time sheet and I will see it is paid." As Mr. Howat agreed with me this morning we are spending all this time here over irregularities like this and gossip of the community.

MR. DUNCAN: And did you get your cheque that day or was it mailed to you later?

A I got it that day.

WALTER GRADEN Called and sworn, testified,

examined by Mr. Parlee:

Q You know the subject matter of this inquiry?

A I have heard something of it.

Q Where do you live?

A Division 2.

Q Do you know of any misconduct or improprieties?

A Only what I have heard since this went on.

Q Are you concerned with any?

A Yes.

Q What about?

A Using municipal powder.

Q How much?

A I don't know.

Q Well did you use it yourself?

A No.

Q Do you ever use any municipal powder?

A I do not.

Q Anything else you know about?

A Having men working on my place and being paid with municipal funds.

Q And is that true?

A Yes.

Q Tell the Court about that.

A There was two men working on the road there. I was looking after them. I was working at my own place and I went out on the road this morning and there was some logs lying in the way more or less hindering their work and they said: "You had better move these away", and I said: "If you will go and cut that brush I will take these logs away out of your way."

Q Were you foreman?

A I was looking after the work.

Q You sent them to cut brush on your property?

A Yes.

THE COMMISSIONER: How long were they there?

A About a day and a half.

Q And what did you pay them?

A They asked what I was going to pay them and I said their time

would go on the pay sheet just the same.

MR. PARLEE: How much would it amount to?

A Two men at 70¢ an hour, they probably worked about fourteen hours. They had been on the road a little while that morning.

Q What are their names?

A Ziehr - two of them.

Q I see here \$24.50?

A Well they had \$50 before that.

Q How much would Edward Ziehr do on your place?

A About a day and a half.

Q And Adolph Ziehr?

A The same thing.

THE COMMISSIONER: What month was that?

MR. PARLEE: July 1930 is it. Why did you do this?

A The road work was going on very slowly and we could not get men and I could see it was obstructing their work and I wanted my own work done as well. I had no intention of being on the road.

Q Do you think your actions were justified?

A I never thought a thing of it at the time but I have thought of it since and I think it is not right.

Q You did some work on the road?

A It was just exchange of work.

THE COMMISSIONER: Well did you draw your pay for working on the road?

A No.

MR. PARLEE: You were foreman at the time?

A No.

Q And wouldn't you draw your pay?

A No. I was looking after the work. Although I was not on the

road at the time I would go there morning noon and night.

Q Doesn't a foreman stay on the job pretty well?

A I suppose he should.

Q How do you draw foreman's pay?

THE COMMISSIONER: Look at the month of July. If you have done wrong tell us all about it.

MR. PARLEE: Just explain it all. It would appear you are drawing full pay too. Just tell us honestly. Did you do any work while these two boys were brushing for you?

A I did. I was out on the road with the team. I can't tell you the day or date. Anyway, you say their time working for you on your farm went into the municipal time sheets?

A It did. I sent it in.

Q What were their names?

A Ziehr.

Q On the 1st of July Edward Ziehr worked ten hours, and the second ten; on the 4th and on the 5th and 6th and 7th Adolph worked ten hours on each of those days and ten hours on the 8th?

A Yes.

Q And Walter Graden, two men, and then Walter Graden one man and team. Now you drew for one there, you worked on the first five hours and the second ten and then the 4th, 5th, 6th and 7th ten hours?

A I think I can explain that. There is one man that owed me some money, Clarence Scott. I did some work for him or caused it to be done and this is the way he paid me back. He says: "I will go and work for you on the road" and this is that man (indicating). He worked to the extent of \$40.50 on the road which he gave to me.

MR. PARLEE: You mean to say you used the time sheets for clearing off a debt of Clarence Scott's?

A I did not. He told me to do it that way, he had no money and he would work on the road and give me the money.

Q And it was put in your name?

A Yes.

Q And it ought to be Clarence Scott there and not Walter Graden?

A Well I believe it should.

Q Do you know of anything else?

A The powder, that is all.

Q What is this powder story?

A I asked Mr. Kreye for powder and he gave me an order to get 100 pounds of powder and it was put on the road and Mr. Edward Ziehr used it.

Q You did not use any on your own land?

A No. And what is left of the powder is at my place now and the road is not finished.

MR. BRYAN: You say you were not acting as foreman?

A Yes I was in charge of the work.

Q But were you being paid for it?

A I did not draw foreman's pay. I was not anxious for the pay. I wanted the road.

Q Whereabouts was it?

A Right alongside my property.

Q And you were just checking it over?

A Yes. And all I collected for was the actual time worked and I only collected laborer's pay.

Q But you did not collect anything for overseeing these people?

A Well I would not say that. I did more or less.

You used the first number

of the first number

He told me it was

on the number 14

and it was put in your

that it was

and it was put in your

I believe it should

Do you know of anything

The powder, that is

What is this powder about

in

I asked Mr. King for answer

You do not see it on

No, and that is all of

There is not finished.

MR. SMITH: You say you did not

Yes I was in charge of the work.

But not you told him for it

I did not even forget the key. I was

I wanted the road.

Whereabouts was it?

Right along side my property.

So what time worked out?

that for or reading these

the of these

Q Did you collect a full foreman's pay?

A No.

Q Just for the time you spent to check them over?

A Yes.

THE COMMISSIONER: What did you collect and how did you collect it for your services as foreman?

A I put it in straight labour.

Q Did you do the straight labor?

A I worked on the road with the men part of the time and part of the time I went to where they were.

Q And when you went to where they were did you charge for these trips as straight labour?

A Yes.

Q So you got paid for all your time, labor and everything else?

A Yes.

Q I gathered you were doing a lot of work for the municipality?

A Yes.

Q If you went on morning noon or night and made a trip for inspection you would charge as so much labour, I do not know of any reason why you would do it for nothing?

A Yes but there was a lot of work I did not charge for.

Q You were not charging for time you were not actually working?

A No. And the work was spread over two months and I have charged for my own work in the neighborhood of \$30.00.

Q And what is the greatest number of men you ever had at any one time working there?

A I believe three.

Q So it would hardly pay to employ a foreman to do nothing and pay him foreman's wages?

What time did you get up?

At about 7:30.

Did you go to work?

Yes, I went to work.

What time did you get to work?

I got to work at 8:30.

What time did you get home?

I got home at 5:30.

Did you go to bed?

Yes, I went to bed.

Yes.

Did you go to work the next day?

Yes, I went to work.

What time did you get to work?

I got to work at 8:30.

What time did you get home?

I got home at 5:30.

Did you go to work the next day?

Yes, I went to work.

What time did you get to work?

A No.

Q And the practice in those cases is that they take one of the laborers or one of the team men and he does a full day's work and he is classed as a foreman?

A Yes.

Q And he gets no extra pay for that?

A No.

MR. BRYAN: Had these people been in the country long?

A No.

Q They were just new comers?

A Yes.

Q And that is the reason you checked them over?

A Yes and I could see they were doing a fair day's work.

Q And how many horses had you to remove these logs?

A Two horses.

Q And you removed these logs out of the way so they could do better work?

A Yes, it was more or less of a handicap.

Q And it was just a straight exchange?

A Yes.

THE COMMISSIONER: How long did you work at that?

A About a day and a half. As soon as I was done I went and told these fellows to go back to their work.

Q And what date was that?

A I could not tell you.

Q Did you keep a time book to show what time they worked on your farm?

A Well that is the only work they ever did.

Q And have you any book to show that?

A I did but I do not know where they are right now.

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Q Does your name appear on any?

A I received a letter from EDWARD ZIEHR called, but not sworn.

Q Who is your councillor?

MR. PARLIE: Is your statement the same as Mr. Graden's?
Mr. Ziehr's.

A Yes.

Q Did you ever live there?

Q Any difference?
years

A No.

Q Did you anything to remove the

Q THE COMMISSIONER: How long was Mr. Graden working removing the
logs?

A I was working on the creek

A He was working a day and a half.

Q When?

A About November I think it was

Q What year?

A 1930. WALTER GRADEN recalled.

Q THE COMMISSIONER: Did you point out to Mr. Kreye the councillor
about this change of work?

A I never saw him.

Q So he did not know anything about it?

A No. Is you know about it? No. I don't know.

Q He was not approving of it at all?

A No. you do not know about that time?

A I had done some work on the creek at that time.

Q And did you get paid for it?

A Well not as much as I would have liked to have got.

ALFRED KLEVAN called and sworn, testified as
follows:

Q When did you first work?

MR. PARLIE: Where do you live? out the taxes and when

A Section 2. I have been there 4 times.

Q You have read the subject matter of this inquiry?

A Yes.

Q Have you anything to say?

A I received a cheque.

Q Who is your councillor?

A Mr. McKinley.

Q How long have you lived there?

A 28 years.

Q Have you anything to say of interest here?

A I received a cheque and never known to be any time sheet.

Q How much was the cheque?

A \$13.00.

Q When?

A About November I think it was, along in the Fall.

Q What year?

A 1930.

Q What is the story about this cheque?

THE COMMISSIONER: Did you do any work for it?

A Well there never was a time sheet. I will not say I never done no work.

Q How do you know there was no time sheet?

A Well I never seen it.

Q Did you do any work about that time?

A I had done some work and made out a time sheet.

Q And did you get paid for it?

A Well not as much as I would have liked to have got.

Q But how much would you have liked to have got?

MR. PARLEE: When did you first work?

A My brother done the first work. He worked out the taxes and then I was called out on the road three different times.

Q And did you get paid for it?

- A A certain amount.
- Q How much did you receive?
- A \$17.00.
- Q And you thought that was not enough?
- A Yes.
- Q Did you see anybody about it?
- A I made out the time sheet for Mr. McKinley.
- Q THE COMMISSIONER: What amount did you sign for on the time sheet?
- A \$17.00.
- Q And you got paid \$17?
- A Yes.
- Q You got a cheque for that?
- A Yes.
- Q Did you do any more work?
- A No.
- Q You never did any more work?
- A That is all I did.
- Q And you got paid for it and you got a \$13 cheque?
- A Afterwards.
- Q Did you know why you got it?
- A No I could not explain why it was.
- Q Did you cash it?
- A Yes.
- Q Did you inquire of McKinley why you got \$13?
- A No.
- Q Did you inquire from anybody?
- A No. I will tell you it was like this; I came into town here and I received a letter and I never took any thought about it. It was not three minutes from the time I got the cheque until

I cashed it.

Q And were you surprised when you got a letter with a cheque in it?

A I was.

Q And did you explain your surprise to anybody?

A Well I mentioned the fact to the people who were with me.

Q Who was with you?

A My brother.

Q Who else?

A My wife.

Q And who else?

A That would be all.

Q And you told them you were surprised to get a cheque for \$13.

Is that correct?

A Well I thought maybe Mr. McKinley thought I never got enough in the first place.

Q Just a little gratuity from Mr. McKinley at the Municipality's expense?

A Yes.

Q And you thought you would cash it right away before the mistake was discovered?

A Well the idea was this if I had taken it home my father would have advised me not to cash it.

MR. COGGLES: This story was told to me some two months ago and we cannot find any cheque.

MR. PARLEE: But you got a municipal cheque for \$13?

A Yes.

Q And there is no record of it?

THE COMMISSIONER: And you cashed it?

A Yes.

Q Are you sure it was from the municipality?

A If I am not awfully badly mistaken - I had no trouble in cashing it. I would swear to the evidence it was a municipal cheque.

Q What bank was it on?

A I could not say that.

Q Stony Plain or Edmonton?

A I think it was Edmonton.

Q MR. PARLET: Do you know the bank?

A Toronto.

THE COMMISSIONER: And that would be about November?

A Somewheres along in November, yes.

Q Well you had better have the bank of Toronto's bank ledger looked up. What month was it?

A November.

MR. PARLET: Was it \$13 exactly?

A Well it was not under \$13 and was not over \$14.

Q THE COMMISSIONER: If it was an entry in the bank ledger they will have a corresponding entry for it.

MR. PARLET: What bank did you cash it at?

A Canadian Bank of Commerce.

Q Did they charge you exchange on it?

A I don't remember whether they charged me any.

Q That little small amount did not interest you any?

A Well in one way it did not.

Q THE COMMISSIONER: Did you talk to Mr. McKinley about this afterwards?

A No.

Q Did you talk to Mrs. Pidgeon?

A No.

Q I suppose you thought it was a good policy to let sleeping dogs

lie; if you talked to some of them they might ask you for the money back?

A Well -

Q Have you any doubt in your mind about this. Have you any doubt in your mind that last Fall you received the cheque of the Municipality of Inga for between \$13 and \$14 and cashed it and got the money?

A None at all. I have no doubt I got the cheque.

Q But you never did the work?

A Well the time sheet was made out and I asked Mr. McKinley and he told me he had just been paying \$5 for the trips I had made with the tractor and I expected to get around \$8. And the time ^{sheet} was made out for \$17. Well I expected to get around \$24. All I got was \$17 on the first cheque.

Q MR. BRYAN: Who first brought this to your attention?

A It was first brought to my attention at the election - after the election.

Q Who brought it to your attention then?

A Well nobody. I brought it to my attention myself.

Q How do you mean?

A I asked a man how could a time sheet be passed with out -

Q Who was the man?

A It was the man that ran-Mr. Propp. I asked how could a cheque be passed without a time sheet?

Q Where did this conversation take place?

A At his place.

Q You went to his place to see him?

A No, I was passing by there.

Q And you went in to see him about it?

A No, I just dropped in.

Q And that was the first mention you made to anybody about it?

A Yes.

CHARLES L. PRICE called and sworn testified as follows, examined by Mr.Parlee:

Q In whose division do you live?

A Mr.Goerz, Number 6.

Q And you know of this inquiry?

A Yes.

Q Have you any matter you want to bring before the Commissioner?

A Nothing of any irregularity simply lack of road as I have so often spoken of.

Q Why do you complain of lack of roads?

A Chiefly since I heard of so much money being spent on the joy road to the lak. Before that I told our councillor that one could pretty well put off and have patience, but since then patience seemed to be not a virtue any longer. I did complain and my letter is in to the council. I know Mr.Pidgeon will remember and Mr.Bryan will, of a letter I wrote them.

Q You thought that up to the construction of this beach road it was necessary you should do without a road?

A Yes to some extent. I still think that before that we ought to have had more roads than we had but since I heard of that I think it is absolutely wrong for the councillors to spend so much money on a pleasure resort when our children were wading through grass and bushes to the school house. I have been there twenty years, and no road at all.

Q Tell the Court under what circumstances you are situated.

Where do you live?

A On the northwest quarter of 22-53-1 West 5th. What I have been after particularly is a road north to our school house. We have about a week ago last Friday had a road up to our gate, only made on the 7th of this month. Before that I had to go through other men's land to go out. I did not complain particularly because we could get out, but there was no road for our children.

Q There are children around 21, 22, 27 and 28?

A Yes.

Q How many families have you there?

A I think five, Mr. Miller, Mr. Gerhardt, Mr. Sonnerberg and myself and Mr. Heiderburg, and you will see there is no road up there whatever.

Q The road that was completed a few days ago. Was that the one ^{you} wanted?

A No not specially. That work was good that was done last year and the year before.

Q And where does this road stop?

A It stops at my gate.

Q Where does that go?

A It goes east.

Q And is that any service to you in getting to your school?

A No, sir. You just come to this corner.

Q How much would it cost to make a road to serve these five families to go to school?

A I think Mr. Goerz said about \$500 at one time. My wife has taught there and I have too and we have waded through wet bushes.

Q And how long has the councillor known of that position?

A For years.

Q- The councillor says that Goerz told him

Q And what reason did he give?

A Lack of funds and they could not do everything in one year.

That seemed reasonable some years ago. But since I heard of this beach road it seemed to me to be serious neglect.

MR. BRYAN: You said you had no complaint with the work done in the last couple of years?

A The last year, 1930, one had all they could expect.

Q But this road that runs north to the school. Is that used by the farmers?

A No, they cannot use it.

Q But would they use it?

A Yes, there was a mill there, Mr. Pennell had a mill and they had to go away out east.

Q These mills do not stay there long?

A It stayed there permanently. He has had it for years. It is a planing mill.

Q Has he any way of getting in and out?

A Yes but it is two miles north of us.

Q Would this road to the school assist the people in hauling grain to town?

A No, but it would assist the farmers hauling lumber

Q But they have all got ways they can get into town?

A Yes, and Mr. Sonnerberg, he had no road absolutely.

Q It is a pretty bad country up there?

A Well to some extent.

Q Is it rough?

A Yes it is hard.

Q And it would cost a lot of money to put a road in there?

A It would cost money of course but it is not an impossibility.

Q Mr. Price says that Goerz told him it would cost \$400?

- A To put in that two miles.
- Q And the people who would be using that would be the people going to school?
- A People have come in to our place and asked the way to that fish lake.
- Q Who would they be?
- A People from Edmonton.
- Q Did you want a road for them?
- A I suppose the community would want it.
- Q But the main thing is for the children to go to school?
- A Yes.
- Q And most of them ride on horseback?
- A They wade through the grass. I go through there and I still get wet riding.
- Q Could not they drive?
- A Well I could drive a waggon through the woods but -
- Q Mr.Goerz has been trying to keep the under-brush down?
- A The fallen trees have been chopped out.

MR. PARLEE: I have got another letter My Lord which I will read:

"No road to Mr.J. Bjerkness passes through section 7-52-3 - 5.
 "Work located on Section 1. Mr.Bjerkness agreed to do all the work
 "necessary to open this road and he be paid for half the work there-
 "by donating half the work. The work performed was sixty dollars
 "which was the time given by Mr.Bjerkness to Mr.Ohlen there being
 "no foreman. Mr.Bjerkness signed no paysheet of any kind. He
 "received a cheque for \$35.00. Look up these pay sheets covering

"this work and check it over. Suspicion that there is more than
 "thirtyfive dollars covered by paysheet covering this work.
 "Also inspect carefully all culverts, material and work on culvert
 "by Mr.Ohlen in 1930. Get location of culverts and check material
 "in them and you will discover something. Be sure that the culvert
 "material supposed to be on the market road is found on the market
 "road. Recall Pete Miller and ask him if the work done on the road
 "near Randolph Wagner's place putting in a large culvert and grading
 "was placed on the same paysheet with the work done on the market
 "road under Government Grant money. This work will be in paysheet
 "of July 1930. I think the work was performed July 8th,1930.
 "There will be no paysheet covering this work other than the July
 "sheet. No government grant work. Randolph Wagner and others,myself
 "included, worked on that road leading into the Wagner place.
 "The location is between the Southwest quarter and Southeast
 "5-52-3 - 5. Wagner should be called and asked the following
 Questions: Was this work done? Did Akins or someone in his behalf
 "promise to do this work before Election of 1930? Cost of work,etc.
 "I hope this information will be of importance in this Inquiry.
 "There is a lot of work charged to the Capital Grant work in other
 "places but I have nothing definite in that. But do not call me as
 "I am busy harvesting."

Now that is incoherent and unless I am so instructed by you
 I do not propose to do anything about it at all.

THE COMMISSIONER: Who is that letter from?

MR. PARLEE: It was handed to me. I am informed it is written
 by Mr.Ibsen.

THE COMMISSIONER: Where does that man live?

MR. PARLEE: At Duffield.

THE COMMISSIONER: Tell him to report here tomorrow morning.

KARL SCHLECKER called and sworn, testified as follows, examined by Mr.Parlee:

- Q In whose division do you live?
- A Division one.
- Q You have read the notice of this inquiry?
- A Yes.
- Q How long have you lived here?
- A Two and a half years.
- Q Have you any complaints or any evidence regarding irregularities or misconduct?
- A I have just had one complaint and that is about the assessment of my land.
- Q What about it?
- A I did not get any assessment notice and I heard there was a new assessment. I heard that from my neighbor and he asked me how high my land was assessed and that is the first thing I heard about it. And I said I would go to the Municipal Office and find out how the land was assessed. And I went in and Mrs.Pidgeon gave me the figures. I asked her why I had not got the assessment notice and she said it must have been a mistake, that it was sent to the man who owned it before and I took that thing that way and I went to the councillor Mr.McKinley and asked him what can be done about that and I said I felt I should have the same

right as the others and have the right of appeal. And Mr. McKinley promised me he would bring it up in the council and I heard that he did but the council did not want to have anything to do with it. They said the time of appeal is over and they cannot do anything with it. Afterwards Mr. McKinley said if I want to he will go with me to Edmonton and we will get a permit on that and I did not want to go in because I heard from some neighbors that if the council did not want to do anything and I forced them that maybe I will go in bad with them and they will raise the tax higher. So I did not want to go in there.

Q THE COMMISSIONER: Your complaint is you did not get your assessment notice?

A And I had no right to appeal.

Q When you went in to see Mrs. Fidgeon had the time for appeal expired then?

A Yes. And the assessor was not on my land. There was no men there. I heard from the neighbor he was on the neighbor's place for over three hours and I believe the whole neighborhood was assessed from there.

Q What tax do you pay?

A Last year it was \$109.80 on three quarter sections.

Q I suppose you have a pretty good farm have you?

A Yes.

Q You would not want to have it assessed too low?

A Oh no.

Q I think that is a matter of appeal but I am afraid I cannot help you out in that.

MR. PARLEE: When did you buy it?

A In the year 1923 and moved out in 1923.

MR. ENGLISH: That was the year of the last assessment.

THE COMMISSIONER: And were you the registered owner in 1929?

" I do not know. I was working on the road in the summer and I got credit for it on the taxes.

" Was the land registered in your name in the Land Titles Office?

" I went in to enquire about the assessment notice and I believe I paid the rest of my taxes in at that time and I believe -

" You do not blame Mr. McKinley for that. But you saw him and he took it up with the council and the council said they could not do anything?

" Well I thought if something was made by a mistake it can be corrected and that is why I went to the councillor to bring it up to the council, to give me a chance to appeal. Mr. McKinley did all he could but the others did not agree with him.

" And the council could not either.

Inquiry adjourns till 2:00 P.M.

2:00 P.M. Inquiry resumes.

WALTER ALLEN called and sworn, testif.

as follows, examined by Mr.Parlee:

Q In whose division do you live?

A Division two.

Q You know the subject matter of this inquiry?

A Yes.

Q Have you anything to bring before his Lordship?

A Nothing whatever.

Q There was evidence here that you drove Mr.Kreye's tractor?

A Yes.

Q And it was put in your name?

A Yes.

Q Why was it put in your name?

A I don't know.

Q Did you receive the cheque for it?

A Mr.Kreye received it.

Q Was the cheque made payable to you?

A It was. I endorsed it over to him.

Q And what was your engagement with Mr.Kreye?

A He came and asked if I would drive his tractor on the road,
which I did.

Q And what were you paid?

A 50¢ an hour.

Q And who paid for the oil and gas?

A I cannot say. I did not.

Q All you got was 50¢ an hour?

A That was applied on my taxes.

Q Was there anything said about why he wanted it in your name?

A I did not know it was going to be in my name until during the

time I was driving he said it would be in my name.

Q Why was that?

A He said to avoid any irregularities before the council.

Q What were the words he used?

A I could not remember the words. It is four years ago.

Q To your recollection the effect was to avoid any irregularities in the council?

A Yes.

Q Anything else said?

A I cannot recall anything.

Q Is he a driver himself?

A Yes he drives it himself.

Q Has he any sons who could drive a tractor?

A At that time they were too small.
did

Q But you ask him why he wanted you to drive his tractor?

A No.

Q Had you driven his tractor before?

A Very little.

Q Are you accustomed to operating a tractor?

A I operated that one all right. I have not operated very many of them but a few.

Q Do you know of any special reason why he came to you?

A I do not.

Q How long before you went to work?

A He came in the evening I believe and I went the next morning.

Q And some time during the work he said to you in effect it was to avoid any irregularities in connection with the council?

A As I recall it that is what he said.

Q There was a cheque on

Q And he brought the cheque down to you?

A He brought it to me and I endorsed it over to him.

Q What did he say when you endorsed the cheque?

A He said he would like me to sign it so he could cash it.

Q Have you anything else to add?

A Nothing whatever.

Q Do you know anything about Mr. Conine's tractor?

A He has a tractor.

Q Do you know much about it?

A Very little.

Q Have you ever seen it work?

A Yes.

Q Can it do the work of Mr. Krye's tractor?

A It is a John Deere and I am not in a position to give a statement on a John Deere at all.

Q What kind of work was it doing?

A It was pulling a grader on the roads.

Q Was it heavy work?

A There was times it required all the power I had.

Q What were you doing, ditching?

A No, grading. But there was times he would want to move quite a bit of dirt and I ran the throttle well down.

Q And if you had had less power there would have been times you would have been stuck?

A I would have hated to have had less.

Q He said to avoid any irregularities that might arise. Who was the foreman on the job?

A I don't know.

Q Was anybody working with you?

A There was a man on the grader.

Q Who was that?

A

- A The first part of the job John Forsyth and the last part of the job George Clausen.
- Q Who made out the time sheet?
- A I could not tell you that.
- Q But was Mr. Kreye there?
- A At what time?
- Q Well all the time?
- A No, he only came out the first morning to give the grader man instructions and to see that I operated the tractor. He watched me I should judge about a quarter of a mile and I never saw him again on the job.
- Q In -
- Q He would not be able to vouch for how long you were on the job?
- Mr. -
- A I should not think so. I did not see him any more.
- Q You are the only person who could guarantee the number of hours you worked?
- Well -
- A Well I would hate to trust my memory.
- The -
- Q But you would be the proper person to sign the number of hours?
- Well -
- A Yes. I was on the tractor all the time.
- The hired -
- Q And after Mr. Kreye signed the sheet he would not know - he couldn't swear himself?
- The -
- A No.
- Q Because you did not see him around there only just when you started?
- Yes -
- A Just when he started.
- The -
- Q And do you know if that is the reason he had it in your name?
- Well -
- A I do not know.
- Q And if he signed the pay sheet he could not have been signing from personal knowledge because he was not there?
- Yes -
- A He was not there, as I have stated.

THE COLLISIONER: Do not lots of farmers send their hired men

send their men out to work their teams?

A Yes.

Q And they put their own name on the time sheet for a team and one man, that is with two horses or four horses?

A I do not know how they do.

FRANCES MAYER called and sworn, testified,
examined by Mr.Parlee:

Q In whose division do you live?

A Mr.McKinley Division, Number 1.

Q I understand you have something to say to his Lordship?

A Well we have not got credit for 1930 road work.

THE COMMISSIONER: How much?

A The road work we were to do was \$28 but we did more than that.

Q Well did you do it?

A The hired man did it with my husband's supervision.

Q When was that?

A The work was started on the 8th of October and finished on the night of the 11th.

MR. PARLEE: Last Fall?

A Yes, Last Fall.

THE COMMISSIONER: And did you sign a time sheet?

A No. Well we signed one just about two weeks ago.

Q MR. PARLEE: Was there a foreman?

A Yes.

Q Who was he? and I see him in

A Mr.Chester Kimmerly.

Q And were you presented with a time sheet?

A Not until two weeks ago.

Q And did you see anybody about it?

A Yes we saw Mr. McKinley.

Q What did he say?

A Well the first time I saw him was in the first part of January or latter part of December and he said he would fix it up and then he did not do anything about it but he told me at the time he saw Chester Kimmerly. At the time I could not go to Mr. Kimmerly's but later on I did and Mr. Kimmerly said he was putting in the time at the next councillors' meeting, but we signed no road sheet.

Q Did you see Mr. McKinley again?

A Yes in June. And at that time he gave us no satisfaction. He said he had given Mr. Kimmerly \$100 to take care of that part up there and he said: "Go to him for your money." And Mr. Mayer's said: "We are not asking for money, we want the credit on our taxes, but we have worked over the \$2800 and ~~we~~ would ^{you} put that on the 1931 taxes" and he said he did not believe he could do that. He said he did not give Mr. Kimmerly authority to give us more time than that although Mr. Kimmerly said he did and we got no satisfaction out of Mr. McKinley and we went to Mr. McKinley's house about it.

Q And have you seen the Secretary Treasurer?

A No, only when I paid the 40% cash and that was paid on the 10th of December and I told Mrs. Pidgeon at the time that we had worked off our road work and wondered if the time sheet was in the office and she said it was not and I made a point to see Mr. McKinley and I saw him in town that day and spoke to him and when I could not get any satisfaction I went to the Soldiers'

Settlement Board the party we purchased the place from, and laid the matter before them and they communicated with Mr. Kimmerly and Mr. McKinley and they got a letter from Mr. Kimmerly and it is in their office but they got no answer from Mr. McKinley. He ignored their correspondence.

Q Two weeks ago you got a time sheet, or since the 1st of July?

A Yes.

Q It would be in this month?

A Yes.

Q Did you sign it?

A Yes, the correct amount.

Q THE COMMISSIONER: How much was it?

A I think it amounts to \$34 and some cents.

Q MR. PARLEE: Where did you get it?

A Mr. McKinley gave us the time sheet.

Q Did he say anything about it at the time?

A Mr. McKinley has not seen the time sheet I don't believe.

Q Is this the time sheet to which you refer?

A Yes that is it.

Q That is your signature?

A That is my signature.

Q And did you see Kimmerly sign it?

A Yes it was at Mr. Kimmerly's house. We went up there to see him about it.

Q And he had the time sheet?

A No, we had the time sheet with us when we went to his house.

Q Who gave you the time sheet?

A Mr. McKinley.

Q And who made out the details of it?

A Mr.Kimmerly.

Time sheet of Mrs.F.Mayer filed as Exhibit 50.

(Answer continued): I might add Mr.McKinley was at our place about three weeks ago just about the time this investigation started. He saw the road work that was done and he said the road work was all right and that it had been done but he had not fixed the time sheet up. He has not seen the time sheet I do not believe.

Q MR. BRYAN: Who made the figures on here?

A Mr.Kimmerly. We gave him our time.

Q And are these amounts correct?

A Yes they are correct.

Q And you say at the time the work was done there was no - who was the man who did this work?

A There was a man working for us.

Q What was his name?

A Mr.Bonser.

Q And you say you went to Mr.McKinley about it?

A Yes.

Q And at that time had you seen - the first time you saw Mr.McKinley had you seen Mr.Kimmerly?

A No.

Q And Mr.Kimmerly was foreman on the job was he?

A Yes.

Q Do you know if there were other men there at the time the work was done?

A Just Mr.Mayer.

Q What was he doing?

A He was supervising the work so it would be done properly.

Q He was supervising?

A Well not as foreman. This man was doing the road work for the land that I owned and Mr. Mayer was there to see that it was done properly but not as a foreman.

Q And was Mr. Kimmerly there as foreman?

A No, Mr. Kimmerly was not there.

Q Well why did you go to Mr. Kimmerly then. Who gave you instructions to work at this place?

A Mr. Kimmerly.

Q And how did you happen to get the instructions from Mr. Kimmerly. Did he come to your place?

A Yes he came and told us what road work we were to do.

Q And did he check it up afterwards?

A No he did not come up there after that not until later on when we had taken this matter up with Mr. McKinley. We thought the time sheet might be in.

Q And did Mr. Mayer ever sign any other statement at the time?

A He did not sign anything at all.

Q Did he ever send a memorandum to Mr. Kimmerly about the time?

A No. Mr. Kimmerly knew what work had been done on the road and when he sent the time sheet we had not signed it. He sent some kind of time sheet that had not been signed by us, to the councillors.

Q Is that Mr. Mayer's signature?

A I cannot say that it is. He could say whether it is his own signature. I did not see him sign it, but this is the correct time.

Q That is Exhibit 50.

A There was one man with four horses three and a half days and one man two horses half a day and then there was tamarac timbers for a culvert and this is the correct amount. I do not understand just how much they pay for the tamaracs but I did at the time and I think that is the correct amount.

Q In any event Mr. McKinley told you to see Mr. Kimmerly?

A Yes.

Q And what did he say?

A He said he was turning it into the next council meeting.

Q But you had not signed anything then?

A No but we had got time on our road work before without signing a time sheet.

Q And after the next meeting you went to Mr. McKinley again, did you?

A No it was in June. I went to the Soldiers' Settlement Board about this. This right after I had seen Mr. Kimmerly the first time and he did not say anything more to us.

Q About when would it be you went to the Soldiers' Settlement Board.

A It might have been April. I think it was in April.

Q And I presume Mr. McKinley would have to get in touch with Mr. Kimmerly to find out what was happening in this business?

A Yes I think he would see him.

Q And this has no dates to show when the work was done?

A No.

Q And nothing on the back to show where it was done?

A Mr. McKinley has seen the work.

Q But if Mr. Kimmerly was supposed to be the foreman he should put on the back -

A Well I don't know as to that.

- Q He should state the month. And as a matter of fact in the present form it would be hard for Mr. McKinley to pass a sheet like that because there is no month on it and no description on the back. And it should be certified by the foreman.
- A Well of course I do not know whether it was made up properly or not. I know I signed it, put in the correct time, and when Mr. McKinley came out to see the work Mr. Mayer went with him and showed him what work had been done and I believe he had a time sheet along that day and wanted it made out that day.
- Q And did he make it out that day?
- A Yes.
- Q Apparently there has been some misunderstanding between Kimmerly and McKinley?
- A I cannot say what happened between Mr. Kimmerly and Mr. McKinley.

CLEMENTER KIMMERLY re called, examined by Mr. Parlee:

- Q You are under oath?
- A Yes.
- Q Is that your signature at the end of Exhibit 50?
- A Yes.
- Q You heard what Mrs. Mayer had to say?
- A Yes.
- Q What have you to say about that and the work that was done?
- A I know that the work has been done. I made out the time as it was given to me by Mrs. Mayer.
- Q Did you discuss the matter of this work at all with Mr. McKinley?

A Yes.

Q When? Day before the work was done?

A Yes.

Q What did Mr. McKinley say?

A He told me to go ahead and put Mr. Mayer to work and keep track of their time.

Q Anything else?

A And turn it in.

Q And did he see you subsequently about the work being done - Mr. McKinley?

A I don't know.

Q Why wasn't the time sheet turned in earlier?

A I guess just neglect.

Q Had you any conversation regarding this work on the time sheet after the work was done?

A I do not just understand you.

Q Did you see Mr. McKinley about the work after it was completed?

A Yes.

Q When?

A At the date of the council meeting.

Q What month?

A February.

Q And what discussion did you have with him?

A I turned Mr. Mayer's time in that day and he said he would fix it up.

Q Any other conversation with Mr. McKinley about this?

A None that I can remember. And this might have some bearing on it (producing letter).

Q You got a letter from the Soldiers' Settlement Board?

A Yes.

Q You produce a letter dated May 18, 1931, from the Superintendent of the Soldiers' Settlement Board to yourself?

A Yes.

Q (Reading). Did you reply to that letter. Is this is the one here (produced)?

A No that is not the reply I sent but it is nearly the same.

Q What reply did you send?

A They must have that on file. I did not send that although the letter I sent is the same as that.

Q You state here (reading). Did Mr. McKinley tell you you had no more to do with it?

A Yes.

Q When?

A On the day that I was there.

Q At the council meeting?

A No at Mr. McKinley's place in regard to the delinquency in the time being fixed up.

Q When was that?

A Last Spring.

Q And what did Mr. McKinley say?

A Mr. McKinley told me I had no more to do with it that I was not road foreman any more. That is after the election when a new foreman was to be appointed.

Q Have you anything further to add to what Mr. McKinley said?

A No I cannot think of it just now.

Letter from Soldiers' Settlement Board
dated May 18, 1931, filed as Exhibit 51.

Q THE COMMISSIONER: This is a copy of a letter that was sent to you.

A Do you know anything about the notations on the back of that?

A Yes those are my figures.

Q Did Mayer sign that?

A No, sir.

Q You just wrote that as a memorandum of his time and work?

A Yes.

Q And that is not exactly the same as the time sheet. Did you make the time sheet out?

A I did.

Q Well there is a difference of a dollar there. How do you account for that?

A I have not kept any record of Mr. Mayer's time.

Q And did you just guess or recall when you wrote that memorandum out?

A Mrs. Mayer told me the amount she had worked on the road both at the time I wrote this out and at the time I made out the time sheet.

Q And you wrote out at one time and it amounted to \$33.40?

A Yes.

Q And again you wrote out what she told you and ~~amounted~~ ^{it amounted to} \$34.35?

A Yes.

Q And the difference of about 95¢ is explained in that way?

A Yes.

MR. BRYAN: The other day I was asking you about the statement you sent to the Department?

A Yes.

Q Were any promises ever made to you in regard to this investigation?

A Only that the statement would be used just to show authority that

councillors had been too free with monies.

Q But was there any promise made to you with regard to this investigation or anything whatever?

A Nothing whatever.

Q Any promises made that you would not be called to give evidence?

A I do not remember anything like that.

Q Any promise of protection or anything like that?

A No, sir.

Q MR. PARLEE: Mr. Coggles instructs me that when he saw you he said you would have to give your statement on oath, that probably anything you said would have to be given on oath?

A I do not remember Mr. Coggles telling me that.

GEORGE HERBERT called,

MR. PARLEE: Have you something you want to bring before His Lordship with respect to this inquiry, anything improper or irregular that you would wish to bring before his Lordship?

A I cannot say that I have directly.

Q Have you any evidence of any irregularities or improper conduct or grievances or complaints?

A I cannot make no complaints as regards the irregularities only my statement of the other day.

THE COMMISSIONER: Do you know of any irregularities?

A Well I heard a lot of stuff and it is only what I heard.

Q Did you have any trouble about your pay sheets?

A Not that I am aware of. I was a weed inspector.

MR. PARLEE: And you were discharged. Do you want to tell the Court anything about that?

A Well it is for you to say.

GEORGE HERBERT sworn, testified as follows:

Q MR. PARLEE: What do you want to say?

A Well I was discharged.

Q Where do you live?

A I live now in Division 6 but I have lived in Division 1.

Q THE COMMISSIONER: You were discharged?

A I was discharged while in Division 6.

Q MR. PARLEE: Were you weed inspector out there?

A Yes for the two divisions, one and six.

Q Living in whose division?

A Division 6.

Q Where were you discharged?

A I got a letter to that effect this spring.

Q How long had you been weed inspector?

A Two years.

Q Had you been satisfactory?

A According to the reports from the Government I was highly commended.

Q And do you know of any reason why you should be discharged?

A Absolutely none except this way, the way I look at it it was an intimidation. It was just before the election. He told a neighbor of mine that -

MR. BRYAN: That is not evidence, what he told a neighbor. We can call the neighbor.

THE COMMISSIONER: Who is the neighbor?

A Mr. Gerhardt.

MR. PARLEE: Is he here?

A I don't know whether he is.

Q Had you and Goerz been unfriendly?

A No.

Q Did he know of any complaints against you?

A I don't know that he did.

Q Do you know of any complaints he had against you or criticism of your work?

A No.

THE COMMISSIONER: Did he tell you your work was not satisfactory?

A No.

Q Did he criticize it to you?

A No, Mr. McKinley informed me he was glad to hear I had been highly commended from the Department of Agriculture.

Q MR. PARLEE: Do you know of any reason why you should be discharged?

A None at all.

Q Have you anything else to say to this Court?

A No.

Q Have you any evidence of any irregularities, improper conduct or improprieties in connection with the transaction of the business of this district?

A No.

THE COMMISSIONER: Were you discharged from both districts?

A In the spring they decided to have a weed inspector for the whole municipality and consequently or automatically I fell out of

the new appointment?

Division 1.

Q Why did you automatically fall out of 1 instead of out of six?

A Because I lived in Division six at the time.

Q And then what happened?

A I got a note saying that a Mister someone else was engaged in my place.

Q But you never were engaged for Division 6 solely?

A I had two divisions.

Q And that arrangement expired?

A Yes.

Q And would not there be just as much right to expect McKinley to take you to his division?

A Well McKinley told me that my name was mentioned favourably as inspector for division 6.

Q You were under one arrangement to act for division 1 and division 6 as weed inspector?

A Yes.

Q That arrangement expired and it then became necessary to appoint a weed inspector for Division 1 and Division 6. Your complaint is that you did not receive the appointment under the new arrangement - not that you were discharged. Is not that it?

A That must be it.

Q Well would not the council have the right to appoint anybody that they thought fit?

A I suppose they would.

Q And your complaint is that you did not get the appointment?

A My complaint is I did not get the appoint^{ment} after I had been told by Mr. McKinley that I was favourably spoken of as the weed inspector for division 6.

Q Who got the new appointment?

A Mr.Ulmer.

Q Who is he?

A I never seen him but they say he is brother-in-law to Mr.Goerz.

Q And where does he live?

A He is living out here somewhere now.

Q Where did he live at the time?

A They tell me he lived in Edmonton. I don't know the man or anything about it.

Q Do you know where he lives now?

A I could not say, but with some of his relations up there.

THE COMMISSIONER: Had you your certificate from the Department of Agriculture as a weed inspector?

A No,sir, I did not have it. I was told by Mr.McKinley that if I agreed to go to the University to take in these lectures I could do it but at my own expense,this spring.

Q There were three sent in and each allowed \$20.00 and after that no more were sent in to qualify?

A I did not hear anything about it.

JAMES COLLINGRIDGE called and sworn, testified as follows:

MR. PARLEE: I understand you have something to bring before His Lordship?

A In regard to a conversation between me and Mr.Matthys in the Post Office. I have no charges to make.

Q Did you tell Mr.Congles that you wanted to be called?

A No.

MR. DUNCAN: You live where?

A I am Postmaster in Duffield,

Q And you know Mr. Matthys?

A Quite well.

Q And you have heard what evidence he gave here?

A No I have not.

Q Did you have any conversation with Mr. Matthys?

A Yes he made a complaint he had handed out \$55 to Mr. William J. Taylor.

Q THE COMMISSIONER: Was Taylor there?

A No.

Q Was Pidgeon there?

A No, nobody there just the three of us.

Q Mrs. Pidgeon there?

A No. And Mr. Matthys said he had handed over \$55 in payment of his taxes and Mr. Taylor having received the money, in fact the matter was a blank to him as far as he was concerned. And I said: "Do you mean to tell me you were foolish enough to give a man \$55?"

Q I thought you said Taylor was not there?

A No. This man made the statement.

MR. PARLEE: I do not think that should be said. He first tells Mr. Coggles he had something to say.

A Pardon me. Mr. Coggles asked me if I was going to be called.

MR. DUNCAN: I propose to call other witnesses to corroborate what this man says.

THE COMMISSIONER: Well they can corroborate them.

MR. DUNCAN: Or deny.

THE COMMISSIONER: I will let it be taken down now in case you want to use it.

MR. DUNCAN: Mr. and Mrs. Hopkins were present?

A Mr. Hopkins, Mr. Matthys and myself. And I asked him if he was foolish enough to hand \$55 over without taking a receipt and he said he was afraid he was. And I said: "Do you know that Mr. Taylor has the reputation for being a business man and do you think he would hand that \$55 to anyone else without a receipt?" And he said: "I don't know." And I said: "I am sure he did not," and I said: "Why didn't you come to the Post Office and pay 20¢ for an Order or I would give you a personal cheque?" And he said he did not think about it and he thought the storekeeper was right and someone would have to come through with the money, either Mr. Taylor or Mr. Pidgeon.

Q What did he say about Taylor?

A He did not say anything.

THE COMMISSIONER: The last statement of Collingridge was that Matthys said nothing about Taylor?

MR. PARLEE: Yes.

THE COMMISSIONER: That is inconsistent with his first statement when he said Matthys told him his memory was a blank.

JAMES COLLINGRIDGE recalled.

THE COMMISSIONER: You said Matthys said nothing about Taylor at that interview?

A Only I asked what Mr. Taylor said about it and he said nothing only he did not remember receiving the money and I said "some man should know about it; if you hand \$55 to a man and do not get the

receipt - "

Q Then he did discuss Mr. Taylor to the extent that he said Taylor told him he knew nothing about it?

A Yes.

WILLIAM ALBRECHT called and sworn, testified as follows, examined by Mr. Parlee:

Q Have you some evidence you wish to give?

A Well only about road work.

Q In whose district?

A Division 6, Mr. Goerz'.

Q Will you tell the Court what complaints you have?

THE COMMISSIONER: You lived in Division 6?

A Yes.

Q What have you to say?

A Well we worked on the road and three of us two brothers and myself, eight horses and two teams and myself and the two boys worked a couple of days before this, by hand. And then we were through working on the road and Mr. Goerz brought up the time sheet and let the boy sign it. I was not home. I was the older one of the three and he let the two younger boys sign it and never signed mine and they never bothered looking at the amount he sent in. And I never saw the time sheet myself.

Q Did you get your cheque.

A No. It was going for taxes.

Q When was that?

A Last summer.

Q Did you get a tax receipt?

A We got a receipt for some of it.

Q Did you get a tax receipt for yours?

A This all goes in Dad's name. The three of us work.

Q How much time did you work?

A I figured out and the amount came to \$96 for my own, what I figured out.

Q And where is that time sheet. What month is it?

A July or August.

Q THE COMMISSIONER: And your complaint is that the road foreman - who is he?

A- Karl Goerz.

Q The councillor?

A No, his brother.

Q He got one of your other brothers to sign your name certifying the amount of work to be correct?

A Yes.

Q Without your permission or authority?

A Yes.

Q And you do not know yet whether it is right or not?

A Well I see the time sheet myself and got part of it. I saw Mrs. Pidgeon about it.

Q You looked at the time sheet?

A Yes.

Q And was it correct?

A \$64.00 was on the time sheet and the way I figured it out the time we put in was \$96 and Mrs. Pidgeon looked at the time sheet and she asked how many horses I had on and she said it was only four horses and she figured it out and it came to \$96 and she gave me a slip of paper with so many hours and so many horses and she signed her name and told me to take it to Mr. Goerz

and he said he could do that because he had lost his day book and it would be money out of his own pocket. And he said he was going to see Mrs. Pidgeon about it and she might have made a mistake, but he did not know.

Q And what did you do then?

A I went back to Mrs. Pidgeon a couple of times and she sent me to Goerz and Dad said "you can't do anything with them and you might as well let it go".

Q Have you any doubt about the amount of work you did?

A I can't say how much I did now because I lost what I put on.

Q And you don't know how much you did and Goerz does not know how much you did?

A He said he lost his day book.

Q Do you know of anybody who does know how much you did?

A I don't think he knows exactly how much. There was people working there exactly the same as I was.

Q And I think as the result of your careless way you may not be able to find it out at all?

A Well that is what the idea is.

MR. PARLEE: Is this the time sheet to which you refer?

A It looks like it.

Q Which one is your name?

A There "William" (indicating).

Q Did you sign your name to the end of that?

A No.

Q How much does it give you there, \$41.40?

A Yes.

Q And did you do at least \$96 worth?

A The three of us together \$96.00.

Q And all they gave you is \$46.40?

Yes, and \$22.95.

Q Are you sure you earned more than that?

A I am sure enough but I cannot swear to it because I have not got my -

Q Was it over \$90 you did?

A It was \$96 the way I put it down in my book.

THE COMMISSIONER: You have lost your time book?

A Yes, I cannot find it and I want to see Mr.Goerz' time book.

Q MR. PARLEE: Your complaint really is that you did not sign the time sheet yourself at all?

A No.

Q They got one of your younger brothers to sign it?

A Yes, and he never bothered looking to see how much it was.

Q Who got him to sign?

A Mr.Karl Goerz.

ERNEST PIDGEON called and sworn, testified

as follows:

MR. PARLEE: You are the secretary treasurer of this district?

A Yes.

Q And have been secretary treasurer for how long?

A Since April 1920.

Q And Mrs.Pidgeon your wife has been your assistanthas she not, helping you?

A Yes.

Q And you know the subject matter of this inquiry?

A Yes.

Q I will take you over the notes and then I will ask you if you have any explanation of anything that has been said here and I would like you to give any evidence you so desire (Reading Clause "A" of Exhibit 1.). Have you any such knowledge?

A I could not give any additional knowledge other than what Mrs. Pidgeon has given.

Q Mrs.Pidgeon has given all the evidence you know?

A Yes.

Q (Reading Clause "B" of Exhibit 1.) Have you any such information?

A No.

Q (Reading Clause "C" of Exhibit 1) Have you any such knowledge?

A Nothing more than has been submitted by Mrs.Pidgeon.

Q You have nothing further to add?

A No.

Q (Reading Clause "D" of Exhibit 1). Have you any such knowledge?

A No.

Q (Reading Clause "E" of Exhibit 1). Have you any such knowledge?

A None.

Q (Reading Clause "F" of Exhibit 1.) Have you any such knowledge?

A None.

Q (Reading Clause "G" of Exhibit 1.) Have you any such knowledge?

A None.

Q Reading Clause "H" of Exhibit 1). Have you any such knowledge?

A None.

Q (Reading Clause "I" of Exhibit 1). Now Mr.Pidgeon, supposing we skip that for the time being.

A All right.

Q (Reading Clause "J" of Exhibit 1). Have you any such knowledge?

A Well none other than what Mrs.Pidgeon gave.

Q You heard her give evidence here regarding the destruction of the contents of the ballot boxes?

A Yes.

Q You recollect the inspector called herewith a letter which is in evidence instructing you to retain the contents of the ballot boxes and let no one have access to them?

A Yes.

Q Did Mrs.Pidgeon have knowledge of that?

A Yes.

Q And notwithstanding that it appears she destroyed them?

A Yes.

Q Do you know when she destroyed them ?

A No not to the day.

Q When did she inform you she had destroyed them?

A I think around the 6th or 7th of May.

Q That is a few days after they were destroyed?

A Yes.

Q And did you have any knowledge they were to be destroyed?

A None.

Q And how did she come to tell you?

A We were talking at the supper table something about the election and something came up about ballot boxes or voting and then she said she had destroyed them, quite unconcerned.

She said she had been cleaning up preparing to move down to our new office and she had destroyed them. I brought to her attention then that I know there was something in that Order or paper from the Department concerning keeping them and she said that that did not come to her mind that time at all.

Q Did you write and tell the Department they had been destroyed?

A No.

Q Did you inform anybody they had been destroyed?

A I don't think so.

Q When was the first time you indicated the fact they had been destroyed?

A When Mr. Coggles was out.

Q When he asked for the contents of the ballot boxes?

A Yes.

Q Had you seen him prior to that?

A I don't think so.

Q You knew he was investigating?

A Yes.

Q You also were aware that there were complaints about the election?

A Yes.

Q Shortly after the election took place?

A Yes.

Q You were aware there was a rumour of contesting the election?

A Yes.

Q And have you anything further to add to what Mrs. Pidgeon has said?

A No I don't think I have anything further to add.

Q Can you account for the poll book not being included in those that she destroyed?

A No, I do not know that I could only I think in some of our old records or bundles that we have tied up with the years marked on them, I think you would see that we sometimes kept the poll books if they were only partly used.

Q But that could not apply to this?

A And would use them.

THE COMMISSIONER: You kept them tied up in a bundle?

A Later we would find them and they would be used for reference in making up the dependent voter's list in the next election.

MR. PARLEE: But you would have the old list for that. But this is a poll book?

A The poll book was sometimes used a second time. You see they might only use one page and we would rule it off and it would be used the next year.

Q You are aware of the section of the Act which says they shall be destroyed by you in the presence of two witnesses?

A Yes.

THE COMMISSIONER: So that is the system which was carried out in your office with regard to the retention of poll books in the past years?

A Yes especially in the small division where you only used one page.

Q But division 1 is not a small division?

A No.

Q And if that system was in force your assistant Mrs. Pidgeon would know all about it?

A Yes.

Q And she would be able to explain to us why it was the poll book was kept?

A Yes.

Q But she could not offer any explanation at all as to how it happened?

A No.

Q MR. PARLEE: Have you anything further to add about the destruction of the contents of the ballot boxes?

A No I do not think so.

Q (Reading Clause "K" of Exhibit 1). Have you any knowledge of any irregularities or improprieties?

A No I do not think I have.

Q Going back to "i". His Lordship enquired of Mrs. Pidgeon what she had to say about the equipment and the accessories in your office. Did that make any difference with the conduct and management of your office?

A No I don't think so. If we needed more equipment the council would get it for us.

Q So you have no complaint to make on that?

A No.

Q Have you anything to say about the destruction of the stubs?

A Nothing to say any more than we have never kept them and never had occasion to refer to them and I do not keep them usually.

Q And do you keep all cancelled cheques?

A All of them, yes.

Q And do you know the location of this stub - how it was gotten hold of here?

A No I do not know.

Q Have you any explanations to make of any of the alleged mistakes that occurred in your office, or carelessness?

A Not unless they were brought before me.

Q Well you have been here?

A Yes but there has been a lot of them.

Q For instance the Soucy matter. Have you any excuse to make for that?

A No, the only excuse I have to make for Mrs. Pidgeon on that is that Soucy's quarter was down opposite the other one.

THE COMMISSIONER: Is it apparent to you there have been a great

number of errors occurred in that office?

A Well taking into consideration the volume of the work I think the percentage is pretty small.

Q You think the percentage is pretty small?

A I think it is very small. I would like to prepare an estimate of the entries and so on that we have to go through in the year and it would be brought to your attention in the way of figures.

Q You have a large volume?

A I think so.

Q Do you think you can carry on a business and carry on that large volume and earn your money?

A Our inspectors seem to have said we have gotten along all right and the work has always been done and we have been told our books were as up to date as any they had inspected - as neat and as up-to-date. Surely we can go something on that.

Q Do I understand it is your opinion that the administration of that office has been carried on in a careful and efficient manner for four or the past five or six or seven years?

A No I would not care to say that, Your Honour.

MR. PARLEE: I would like if you have any explanations for anything that has arisen here or criticism. Have you any evidence you would like to give or explanations to offer?

A Well in connection with one or two, especially one - that Kimmerly overpayment. I can quite well recall that Kimmerly called at the office in connection with this cheque.

Q That is the \$36 cheque?

A Yes and there was a great chance to make a mistake when people call there the day after the meeting or the day of the meeting to get a cheque for a time sheet. They have been in a hurry for their

cheques and late especially this year and last year it is rather confusing to take out time sheets from a large pile, probably 25 or 30, and give them their time. It means you are going out of the ordinary way of doing things, and we are bothered in that way and I think probably that is the way the Kimmerly mistake occurred.

Q Do you remember Aronson's story here?

A Yes.

Q He did not get a fair deal, according to his evidence. Have you any explanation with regard to that one?

A Yes I can remember the incident. Mr. Kreye and I were down at the Hotel having a drink of beer.

THE COMMISSIONER: Was Aronson correct in his facts?

A No I would not say he was. Mr. Aronson came in and he said he wanted a cheque signed. So I said: "All right Aronson I will be right up and sign it". Well I would say - I am under oath - and I would say that I was not two minutes till I was walking up the sidewalk with Mr. Aronson to sign the cheque for him. The cheque he had phoned about the day before we had prepared and I had already signed it and when he came to the office he brought to our office he had more time on another time sheet. That is when I signed the second cheque, but the one he had phoned about was already signed and I do not think I would have anything more to add in connection with Aronson. There was the two boys that worked at the garage, there. They just made the remark that if he had carried on the way he had much longer they would have chucked him out. They said he certainly did not talk or present his case in any way becoming to a gentleman. He was anything but gentlemanly to her. One of his tires blew out in front of the

garage and he seemed to be up in the air himself.

Q I believe he mentioned Karl Grosskop, was there?

A Yes, he joined us. He was telling a story.

Q You have nothing further to add to that?

A No.

THE COMMISSIONER: Is not it a matter of fact he had money coming to him and he telephoned in for his pay and when he came to get his cheque the accounts had not been gone over properly, to find out what was coming to him and he only got half of it and what he got cross about was waiting for the other cheque. Is not that the situation?

A No I could not say it was. He said he had some time coming and very often at a meeting all the time is on one sheet but evidently he had some more on another sheet. Mr. Goerz had not signed either of the cheques. And I might add he said: "Well this is a poor way to do, coming in for your cheques and they are not signed."

Well, Mr. Goerz would come in once or twice a week to sign the cheques. We had phoned him the night before and he said he would be down but he explained again he would not be able to be down that day and he would be down next day and Aronson wanted me to drive up and get them signed but I said I would not and that Mr. Goerz was coming in that night but if he was on his way to Edmonton and wanted them in a hurry he could take the cheques himself and have them signed.

MR. PARLEE: Nothing further to add to that?

A No.

Q Anything further to add about the White case. And there was judgment against both you and the municipality for \$3500 and costs?

A I guess there was.

Q Have you paid any portion of it?

A No. We discussed it at the council meet.^{ing} What we discussed was the matter of the costs.

Q Have you made any arrangement to pay any portion of it, with the council?

A No.

Q Have you paid any?

A No.

THE COMMISSIONER: Why was judgment given against you?

A Well I don't know.

Q On account of negligence in the handling of the matter?

A No, I think not.

Q MR. PARLEE: I think it would be advisable if I put in the appeal book and the reasons for judgment.

THE COMMISSIONER: I will not read it. That case has been tried and determined and settled by the highest Court in this Province and I am through with it.

MR. DUNCAN: And Mr. Parlee himself advised an appeal to the Supreme Court of Canada and I wish it had gone.

MR. PARLEE: Have you anything further to add, Mr. Pidgeon?

A Nothing.

MR. DUNCAN: You heard Mr. Howat say you gave a cheque for \$38?

A Well somewhere around that. He said thirty something.

Q He said he was not sure of the amount. That is today. Did you take any more cheques to Mr. Howatt than the three put in this morning?

A I don't think so. I was not at Mr. Howat's that year at any other time.

Q On the one occasion you called at his store with three cheques

in question?

A Yes.

Q One for \$49.05, one for \$30 odd and one for \$15.75?

A No.

Q Just give an explanation. Just explain the position of those cheques.

A Well until Mr. Coggles phoned and brought it to our attention I practically had never thought of it. I never had thought anything about them and I was very much surprised that it seemed to be taken up as a kind of serious affair.. I cannot say yet that Mr. Howat has tried in any way to say that we were trying to pass off some cheques or give him some cheques for some reason or other. I do not see he would have any occasion to think that and I do not think he thinks it yet.

Q He might have thought it was an error?

A Probably through carelessness. I do not think he thinks any more of it now and if he is satisfied I am satisfied to leave it as it is.

Q You took these cheques down and you had an order from Mr. Prussia to pay Mr. Howat all his wages?

A Yes.

Q And also another man?

A Yes, Kanarka.

Q Now the three cheques, those are the three cheques you took down?

A Yes.

Q Did you ever take any other cheques down at any time, that is last fall?

A No I can't remember. No I was not down there.

Q And you figured up Mr. Howat's taxes?

A Yes.

Q And you applied two cheques on his taxes?

A Yes.

Q In addition to his own inspection?

A Yes.

Q And there was a fee coming to him for inspection?

A Yes.

Q Plus the inspection and plus the two cheques which paid his taxes?

A Yes and there was \$10 change something.

Q And did he get the change?

A Yes.

Q And that left one cheque for money coming to Prussia?

A Yes.

Q And did Prussia get that money?

A Yes.

Q That was this spring after he came back from the Old Country?

A Yes.

Q And this morning a gentleman called Klevan who got a cheque from you some time in December or November last year for between \$13 and \$14.00?

A Yes, I believe that is so.

Q What are these documents?

A Those are the bank statements. That is a copy of the ledger from the Bank of Toronto for the month of December.

Q And that would show all cheques passed through the bank that month?

A Yes.

Q And what is this document. Would that be the Bank of Commerce statement at Stony Plain for November and December?

A This would be the statement from the Canadian Bank of Commerce of our general account for the month of December.

Q And you have checked through these two statements and you have picked out all cheques around \$13 or \$14?

A Yes.

Q And is there any cheque here payable to Klevan. Was there any cheque cashed through the bank during those months for him or any cheque at all?

A None that we can find.

THE COMMISSIONER: Have you a cheque for \$13.22 there, number 397?

MR. DUNCAN: Yes (produced). We picked all the cheques out, about \$13.00.

Q Would the bank ledger correspond with your cash book?

A Yes.

Q It would have to correspond?

A Yes, the banks always balance.

THE COMMISSIONER: You paid everything by cheque?

A Yes, everything. I will look them up in January, this evening.

MR. DUNCAN: Have you any other matters you wish to explain.

When you destroyed your stubs where did you put them?

A Well after audit we used some of them for jotting pads and if we have too many we destroy some of them.

Q And some go in the garbage can at the back?

A We have a waste paper basket in the office at the garage and when we have not fire there when that waste paper basket gets full we used to take it out to the garage and we have a steel barrel, a fortyfive gallon barrel with the head out out of it, and we empty our waste paper basket in that and it might be there would be a cheque stub get in there. particularly waste.

Q Is there anything else you would like to explain, anything else you wish to explain?

A No I do not wish to say anything further.

Q MR. BRYAN: I wish to ask you about various things that happened at some of the meetings. There has been mention made of a special vote of \$500 which was given to Mr. Kreye at one time which was supposed to be expended in a certain place. Do you remember that vote?

A I believe there was an extra appropriation of \$400 for Mr. Kreye.

Q The evidence here was that \$500 had been voted. You think it was a \$400 vote?

THE COMMISSIONER: Of course the resolutions of the council show those things exactly.

A (Referring to exhibit 14.) This is the motion, page 242, (Reading).

MR. BRYAN: That is the entire motion?

A Yes.

Q No mention anywhere else made of spending any balance on a road down towards Mr. Brickson's?

A None after that. I do not think it would be before.

Q With regard to the question of big machinery. We have had a lot of discussion with regard to this and I believe some motions have come up with regard to it. Do you recollect what stand Mr. Goerz took with regard to that?

A I am quite sure he has opposed big machinery. It could be verified from the minutes. He is opposed to big machinery?

A Yes he has been quite consistent in that.

Q THE COMMISSIONER: And that was consistently throughout?

A Yes.

Q So it would be hardly necessary for anybody to go out to canvass him to vote against it at any particularly meeting, would it?

A I would not think so.

MR. BRYAN: I think Mr. Kreye was in favour of big machinery, was he?

THE COMMISSIONER: The evidence was that he thought he had better vote against it that night.

MR. BRYAN: When was that?

THE COMMISSIONER: At the time Kreye went out and saw him.

MR. BRYAN: I think he wanted to have something settled so they would not have to argue it out for hours.

Q Was there any discussion this year with regard to the use of the Bjorkgren Construction Company outfit?

A Yes there was.

Q And were any of the councillors in favor of using that outfit?

A They discussed using it but they did not use it.

Q Where did they think of using it?

A I believe they were going to use it in Mr. Howat's division.

Q And there was some discussion with regard to it?

A Yes.

Q Who were the chief objecters?

A I don't know as there was so much of an objection to using it.

It was the method by which we were to pay them if they would use it.

Q What discussion took place regarding that?

A Whether we would employ them on an hourly basis or by contract.

Q What stand did Mr. Akins take. It was in his division?

A Well he would not be in favor of hiring them without it was so much for the job, that is by contract.

Q Why was that?

A Well he had an expensive experience with them the year before.

Q He had a disastrous experience before that?

A I guess they all had.

Q And they discontinued the use of it on an hourly basis?

A Yes.

Q And do you remember the discussion at the time the question of Mr.Kreye's tractor coming up?

A Yes I remember it.

Q Do you remember whether there was any discussion about obtaining any other tractor?

A Yes I believe Conine's tractor was mentioned.

Q Do you remember what the opinion was?

A Well it seems to me as though it was - that Kreye's tractor had not power enough and it appears as though it were an old one, to me.

Q Kreye's?

A No, Conine's. I understood it was an old one at the time.

Q The general opinion of the council was that it was not satisfactory.

Is that correct?

A Yes that was it.

Q Did the other councillors discuss it?

THE COMMISSIONER: If Mr.Parlee has no more evidence on that point I am satisfied now they got the best tractor in the district to experiment with.

MR. BRYAN: I asked you and I think his Lordship did too to give us an estimate of approximately the amount of taxes that are paid on the beaches at Cottage Lake?

A Yes I prepared that.

THE COMMISSIONER: We are interested in the subdivision controlled by Mr.J.A.Barrie. What taxes are paid there?

A Well I only have the total around the lake - \$580.00.

Q And how many beaches are there?

A Edmonton Beach, South Edmonton Beach and Poplar Beach.

Q About what proportion would Edmonton Beach pay on the taxes?

A Oh I guess they would pay, I don't think South Edmonton Beach and Poplar Beach would pay \$100.

Q All the rest would be from Edmonton Beach?

A Well that could be looked up.

Q What taxes are paid by the balance of Division Number 6?
What is the total tax levy. You can find that out?

A Yes.

Q And how much money was spent on the road into Edmonton Beach including the appropriation and over expenditure and what money was spent on the balance of all the roads including the market road in Division 6 for the year 1930?

MR. BRYAN: Is the Beach a hamlet?

A Yes Edmonton Beach is a hamlet.

Q I will draw the attention of the Court to Section 68 of the Municipal District Act.

THE COMMISSIONER: Following out that provision of the Act.

If you spent the 50% how much would they get spent there in one year, in 1930 - roughly about \$250,000?

A Yes.

Q Have you any idea of the amount of money that has been spent in that hamlet for the past five or six years?

A I think Mr. Goerz can give you that more accurately but I do not think there has been very much over a period of five years except this highway.

Q But in the hamlet itself?

A I don't think there has been very much. I would say very little.

Q What would you mean by very little?

A \$50 or \$60 a year, something like that. I don't think any more on the roads within the hamlet.

Q Well the records will show exactly what was spent?

A Yes.

Q MR. BRYAN: Well perhaps you can get that Mr. Pidgeon.

Are the people at the Beach or Mr. Barrie allowed to work out their taxes or do they?

A They would only be able to work them out by hand if they were out there.

Q But Mr. Barrie has a farm, hasn't he?

A Yes I guess he has.

Q Do you know if he has ever worked out any taxes?

A I can't remember.

THE COMMISSIONER: Is the farm in the hamlet?

A Well just adjoining.

Q Well he could not work out the taxes in the hamlet?

A Mr. Barrie has paid us taxes in cash in the Fall.

xx He always pays them with a cheque each Fall.

Q MR. BRYAN: Has Mr. Barrie ever come into the council in regard to the expenditure in the hamlet?

A Yes.

Q What was it about?

A He has complained that Goerz was not doing enough for him out there.

Q Was not spending it within the hamlet?

A Was not putting enough money within the hamlet for him, was not doing improvements enough. I think there are letters on file from the Department about it.

Q What would be the nature of those letters?

A Well that Barrie had been lodging a complaint in the Department that he was not getting what he was entitled to at the Beach.

Q Under the 50% section?

A Well probably he would not bring that section to their attention but it would be under that section.

Q Anyway, he has complained to the Department and the council that he was not getting sufficient expenditure at the Beach within the hamlet?

A Yes.

Q And he has been up before the council on the same thing?

A Oh yes.

Q Can you tell us a little bit about the discussion that took place in the council with regard to the Beach road?

A Well I think the trouble with that -

Q Was there any recent resolution passed at the council?

A No, I was going to refer to that. I think there was an understanding probably between the council but we have nothing on the minutes about it. They would talk over it and I would not have any knowledge of that.

Q But there was no resolution ever passed by the council other than that one turning down the construction of that road?

A That is all.

Q After that resolution was passed were there some delegations came to the council?

A I think there were some at that meeting.

Q And was there any subsequent discussion in the council with regard to the beach road after the passing of that motion?

A I don't know that I could recall any.

Q The question came up of the hiring of the Bjorkan Construction Company. Was there any discussion at that time?

A There does not seem to be any recorded in the minutes but I think there was some discussion on it.

Q Was there not discussion as to where that outfit would be used?

A I think all the councillors knew that Mr. Goerz was going to use it.

Q THE COMMISSIONER: He applied for privilege to use it first in his division and the council agreed to it. There is no question about that. Now it is no matter what evidence you get, you cannot make legal acts out of illegal acts. That excessive expenditure was wholly illegal. It is quite true the other councillors went out there and stood around. They were having an experiment with it. I do not say that Goerz is wholly to blame, and the other councillors authorized him to use it but there is no authority to overexpend to the extent of \$2000 or \$3000.

MR. BRYAN: Was there any understanding?

A No.

THE COMMISSIONER: How do councils act. Is not it by resolution?

A Yes.

Q And those resolutions are recorded in the minute books of the municipalities?

A Yes.

Q And decided on by the proper officers?

A Yes.

Q Have you any resolution authorizing Goerz to overexpend \$2500 to \$3000 on that road?

A No, sir.

Q And you say that Goerz wanted to have the first experiment in his division and the other councillors consented and they went out and looked at it in its operation to see how it worked out?

A Yes.

Q That is the situation?

MR. BRYAN: And when the bills came in did they discuss how it

had been used and how the thing had gone on?

THE COMMISSIONER: I suppose they just paid them.

A Yes, they did not figure there was anything else to do.

Q I suppose when these bills came in the amounts were so large and the expenditure so excessive that any councillor must have known that in passing those payrolls he was approving of the illegal expenditure of money in the division. Is not that correct?

A They would certainly know there was an overexpenditure.

Q They could not help but realize it?

A They all realized it when the pay sheets were passed.

Q The original appropriation was \$600. The final payments by him were between \$2500 and \$3000?

A Yes.

Q Now any councillor with any intelligence when he approved of those pay sheets must have known he was approving of the payment of illegal expenditures, mustn't he?

A Yes I would say so.

MR. BRYAN: With regard to Andrew Kotscherofsky. Will you tell the Court what you know about that case.

A Mr. Kotscherofsky came to a meeting this year about that and we did not have a plan on file.

Q Do you insist on a plan before you pay?

A Yes.

Q That is a practice of the council is it?

A Oh yes.

Q Why was the plan not on file?

A I believe the survey was just done last summer and at that time we had not had the prints back.

Q You did not get the prints back from where?

A From the surveyors Driscoll & Knight.

Q And when those prints came back what happened then?

A Well we have not taken it up with Mr. Kotscherofsky since.

Q Did you have any money?

A No we had not any money to pay it.

Q And is that the reason of the delay in payment?

A Yes. There are several diversions delayed because of that.

Q THE COMMISSIONER: You know there are two principles of diversions?

A Yes.

Q And you knew about the agreement to pay \$100?

A Yes.

Q And the council has not settled yet have they?

A No.

Q Why. Just because they do not care anything about what the Municipal Act provides?

A I do not think Kotscherofsky pressed his claim very much - not before council.

Q That is not your fault?

A No.

Q That is the councils fault?

A I don't think.

Q After they entered upon that land and took it and fenced it off and used it for a highway, within the expiration of six months they should have settled with that man, and they have not.

And you know of no explanation of it other than they said they were waiting for some plans?

A No.

MR. BRMAN: Do you know when Mr. Aronson started to be a road foreman? BRMAN: I

A I think in 1928.

Q I think Mr. Nyjen gave evidence he went to him in 1927?

A He may have.

Q Was Mr. Aronson a road boss in 1927?

A In 1927 or 1928 or along there.

Q And I believe his Lordship asked for a statement of the various overexpenditures. There was one statement that there was an error and Mr. Howat objected to the amount.

A The way they said at the phone, that is the way it will show here.

Q He said he was charged with an overexpenditure greatly in excess of that which was authorized, and it was corrected?

A Yes.

MR. BRYAN: Take 1927. How do they stand?

A Well from the financial statement division 1 had a credit of \$286; division 2 had a credit of \$234; division three a credit of \$484; division 4 a credit of \$8.00; division 5 an overexpenditure of \$1264; division 6 \$176 over spent.

Q And Mr. Howat objected to the amount as shown in the auditor's account as an excess of expenditure. Is that the amount set out in the auditor's report?

A I do not think he objected to that.

Q Did you object to one of the auditor's statements in regard to overexpenditures. What year was that, Mr. Howat - 1927?

MR. HOWAT: No, 1923.

THE COMMISSIONER: And ever since that has there been objection to any of them?

A Well the balances are not correct.

Q You might let Mr. Howat look over that this afternoon and then prepare a statement and file it with us tomorrow?

MR. BRYAN: I think perhaps the difficulty is in some cases they carry over a credit for one year and the auditor's statements

are based on the solitary year as it stands by itself.

THE COMMISSIONER: You might let Mr. Howat have a look at that.

MR. BRYAN: Are there any overexpenditures shown in division 2 for the whole four years?

MR. PIDGEON: No there are none.

THE COMMISSIONER: I suppose if the books are properly kept and the audit is properly made that the auditor's statement ought to show to a cent the excess expenditure in each division year by year should it not?

A Yes.

MR. PARLEE: I should produce to you a cheque dated December 16, 1930 in favor of Alfred Klevan, \$13.87 on the Bank of Toronto and also we find he signed for that amount of money, \$13.87.

The cheque is dated December 16th and it appears on a pay sheet for July the 30th. According to these records Mr. Klevan did receive the \$13.87 but he likewise did work and received pay therefor. He is still sure there was a cheque he got to which he was not entitled. That cheque was given to Mr. Goggles away along in June. I propose to go into that with Mr. Klevan and will keep him here.

Cheque in favor of Alfred Kelvan
dated December 16, 1930, for \$13.87
filed as Exhibit 52.

MR. DUNCAN: With reference to the Taylor and Matthys' matter. Just give your version of that to his Lordship.

THE COMMISSIONER: His version is he never got an envelope with any money in it and he never returned any money to Taylor.

He told us that before.

A I have no knowledge of it.

Q Did you ever discuss the matter with Mr. Taylor?

A Mr. Taylor discussed it with me.

Q What did Taylor say to you?

A He was in the same position I was. He said he had no knowledge of it whatever.

THE COMMISSIONER: And Mr. Taylor wrote you a letter?

MR. DUNCAN: Yes, he wrote you. And did you go down to Duffield?

A He wrote us a letter and Mrs. Pidgeon and I both read it over and said when we were down at Duffield that week end we would go to see him but we did not go to Duffield; Whether it was because it rained I do not know. We often go there at week ends. and we went the week after and in the meantime we got another letter from him.

THE COMMISSIONER: Mr. Taylor said you arranged to meet him one particular Sunday at Duffield. Is that correct?

A Yes, and in the meantime I was at Duffield in the week and I told him I would be down on Sunday and I would see him and when we were down on the Sunday, we were stopping at my sister's place there and after we finished supper I said: "I am going over to see Bill Taylor about this Matthys' affair." And I went over.

MR. DUNCAN: And where is his place?

A Right across the street. I went over and went into the store part.

Q Who was with you?

A Nobody.

Q Did you see Mr. Taylor?

A Yes.

Q And did you discuss the matter?

A That is what I went for - to discuss it.

Q And what did Taylor say?

A He talked something of a settlement in some way and I said:

"Well Bill I have no knowledge of it and I do not think I should have anything to do with it; I think it is a matter between you and Matthys and Street." He said Matthys was willing to pay so much and Street was and he would. And I said I always claimed I had no knowledge of it and I would not be entering into that settlement.

Q And as far as you were concerned the matter was closed?

A The matter was closed.

Q THE COMMISSIONER: The constable had better get in touch with Mr. Taylor tonight and communicate this evidence over the phone.

I would have like to have Taylor and Matthys here, and you tell them to be here in the morning.

MR. DUNCAN: And Mr. Hopkins also?

THE COMMISSIONER: Yes. It might have a serious consequence for Mr. Pidgeon and I do not want to miss anything. I want him to have every opportunity.

MR. PARLEE: And would not it be well to have Mr. Collingridge here in order to clear up this thing?

THE COMMISSIONER: Yes.

MR. DUNCAN: That is the kind of time sheet some of these foremen give you is it (produced)?

A That would be one of them.

Q And they ask you as secretary treasurer to make the best you can out of that. Is that it?

A Yes. That is what we do.

Q And that is Mr. Pitzler's?

A Yes.

Q THE COMMISSIONER: Don't you think it would be a nice thing to send

that time sheet back to them and tell them to make out a proper one?

A We have sent many a one back.

JOHN T. WALTON called and sworn testified as follows, examined by Mr.Parlee:

Q Mr.Bryan and Mr.Duncan have asked me to call this gentleman.

Do you know anything about these stubs?

A No only just what I heard.

Q You heard something?

A No. I never seen that until Friday and I see one of you men holding it up here and that is when I seen it.

Q What did you hear about it. Well of course that is not very much.

THE COMMISSIONER: What did you hear about it?

A Mr.H.J.McDonald told me they had found a cheque stub and I said how did they get that and he said Levi Stevens got it,they had found them at the Garbage pail at Stony Plain. That is all Mr. McDonald told me. That is all I know.

MR. PARLEE: I have no further evidence to offer your Lordship.

Inquiry adjourns till 10:00 a.m.

Wednesday August 19th,1931.

WEDNESDAY August 19th, 1931,

Inquiry resumes at 10:00 a.m.

DAN TAYLOR called and sworn, testified as follows, examined by Mr. Parlee:

Q Where do you live?

A In Duffield.

Q And your occupation?

A Live stock dealer.

Q How long have you lived there?

A About six or seven years.

Q And that is in the Municipal District of Inga?

A Yes.

Q I have received information that the other day you stated that if this Commissioner would go into the question of Charles Wilson building the Duffield road then there might be something to do. Did you make such a statement?

A I did not.

Q Anything similar to that?

A I said, if they were bringing up the Pete Larson stuff and things of that kind they might as well bring in District 4 and the road Charlie Wilson built.

Q Have you any criticism to make of the construction of that road?

A No none at all.

Q So you have no desire that should be enquired into?

A I have not anything against the municipality.

Q We are here to conduct and carry on an inquiry into any irregularities or improper conduct and we do not want people going around saying: "Why didn't they inquire into another point" and I just wanted this matter cleared up.

A I did not make any statement to that effect. All I said was that from my point of view it looked like a political jealousy and why not bring District 4 in and the rough road that Charlie Wilson built. That was two or three years ago. It might be passable but it was left rough at one end and it was afterwards straightened out.

THE COMMISSIONER: And you don't know of any graft in connection with it or anyone getting pay for road work they did not do or anything of that sort?

A No I do not.

W. C. IBSEN recalled, examined by Mr. Parlee:

Q You are still under oath?

A Yes.

Q You were here and gave evidence some time ago. Do you remember?

A Yes.

Q And you have now written to Mr. Coggles and myself a letter in which you suggest a number of matters to be gone into. Now this letter was received yesterday. Why didn't you bring these matters up when you were here before?

A Well there is some of them have come to my knowledge since.

Q You have known of this inquiry for the last three weeks?

A Yes.

Q And to bring these matters to our attention at this late date is, to say the least, very inconsiderate. Now what have you got to say?

THE COMMISSIONER: You had better read the whole letter through to him.

MR. PARLEE: (Reading). Is there any foundation for these statements?

A Mr. Bjerkness told me that himself.

Q What did he tell you?

A Exactly what I say there.

Q THE COMMISSIONER: Whose division is it in?

A Division 3.

Q MR. PARLEE: Whose division is that?

A Mr. Akins.

Q He said he performed \$60 worth of work?

A Yes.

Q And he would donate half of it?

A Yes.

Q And he was paid \$35?

A Yes.

Q Where is there anything wrong about that?

A I can't see there is. The reason I gave that information is that Mr. Bjerkness thought there was likely more time put on because he saw no pay sheet at all. He had not signed for any work.

Q Does there appear to you to be anything wrong with that?

A No, nothing at all unless the pay sheet in question does not bear out that statement that Mr. Bjerkness made.

Q You see it is obviously impossible for us to start this inquiry all over again (Reading) Will you tell me how I am going to take each

culvert and check it up and then check it up in the meantime when I only got this letter yesterday morning?

A I presume you could take it off the pay sheets.

MR. PARLEE: It looks to me obviously impossible.

THE COMMISSIONER: Do you know how many culverts there are there?

A No.

MR. PARLEE: Do you think there is any wrong doing. Have you any evidence of any?

A It was reported that something like \$602 on one pay sheet for culverts and material went to Mr. Olsen and it seems impossible that amount of work and material was placed on the market road.

THE COMMISSIONER: Who is Mr. Olsen?

A MR. PARLEE: A brother-in-law of Mr. Akins. And do you think there is some wrong doing there?

A It would appear that way.

THE COMMISSIONER: How many miles would there be in that portion of the market road in Mr. Akins' district?

A It would probably cover about six miles I should think.

Q And you cannot say how many culverts?

A No.

Q Does this \$600 cover work and material?

A I cannot say.

Q Who gave you your information?

A It was general gossip.

MR. PARLEE: According to the records Mr. Olsen received - would this be 1930?

A This would be 1930.

Q Mr. Olsen received for Division 3 \$350; in Division 4 \$321; and for some other planks \$196 and the \$350 went to Division 3 and \$321 went to Division 4. Would this all be on the market road?

A There was some place was not on the market road but whether that was included in the bill or not I do not know.

Q Those are the total expenditures I have obtained from the secretary Can you give us anything to be of assistance to us?

A No.

THE COMMISSIONER: Olsen would not be paid by Akins for Division 4?

A No, that would come under Mr. Francey's.

Q And where does the \$196 go?

A MR. PIDGEON: They were planks bought by Division 3.

MR. PARLEE: So then it says \$350 and \$196. That is \$546 for planks for Division 3?

A Does it say how much a thousand?

Q No, at least not the record I have.

A Then it could never be checked. You could check the number of feet but if you do not know the price per thousand -

THE COMMISSIONER: Is Olsen a lumber dealer?

MR. AKIN: No but he sawed considerable lumber the year before in order to build a big barn.

MR. PARLEE: Cannot we have Mr. Olsen here? If you think it is sufficiently important, Mr. Ibsen, and you think there is anything to be investigated we will have him here but it is obvious we cannot give the detail at this stage.

A Well I cannot see any more to it than I have said.

Q That in your opinion those planks were not used in Division 3?

A No I do not say that. They were not all used on the market road under the grant they were supposed to go.

Q THE COMMISSIONER: The secretary treasurer must have a detailed statement of that plank supplied by Olsen, the quantity and the price and the point of delivery?

MR. PARLEE: I will continue the letter ("recall Pete Miller"

(reading). Will you tell me what evidence you have to say that Mr. Akins or anyone on his behalf promised to do this work before election from an ulterior motive? What evidence have you of that?

A It was general report. I spoke to Mr. Wagner previous to the election and he said he wanted a road into his place there and he promised that he would support me providing that I would build a road in there and I told Mr. Wagner that ^I was not making any promises but that he certainly was entitled to a road there and he should have had it long ago. The day before the election Mr. Scheiderman and, I don't know who, but some others also went to Mr. Wagner's place and I have every reason to believe he supported Mr. Akins in the election, which is quite all right and there is no objections to that.

Q Supposing Mr. Akins had stated to Wagner "Now I won't make you any promises, but you ought to have it and that is my opinion."

Is there anything wrong about that?

A No.

Q I think Mr. Wagner would have sufficient intelligence to understand what was meant?

A Yes.

THE COMMISSIONER: And you were satisfied he should have it?

A Yes.

Q And does the road serve any other people than Wagner?

A Well very little, the road goes right up to his place.

Q But are there any other people between his place and the highway?

A No.

Q How far is it?

A About half a mile.

Q And how many years has Mr. Wagner lived there?

A Five or six years.

Q And this was on the regular road allowance?

A Yes.

Q And I suppose he is a tax payer?

A Yes.

Q So you just infer because it was built that therefore Akins must have promised it for the purpose of getting his vote?

A Yes.

Q You don't know that Akins did promise him that, though?

A No.

MR. PARLEE: "I hope this information will be of importance to this inquiry (Reading). Have you any charges or allegations to make?"

A This work at Mr. Wagner's place was all on one pay sheet and that was supposed to be on market road work under the Government grant; at least my work was and the other crew worked there at the same time.

Q Well have you any charges to make that ought to be investigated?

A No nothing further.

Q Outside of getting those statements of account regarding these planks do you want these matters investigated?

A No.

Q MR. BRYAN: When you first came up this morning you said you had things that had just come to your attention. Now you have not mentioned anything here which you did not know when you were up here before?

A Yes.

Q Did you know about this planking you have mentioned?

A I knew about that the first day I was up here. It was talked about
Both I

the amount of money Mr.Olsen got for the planking.

Q But you knew about it then?

A Yes.

Q And why didn't you tell us about it?

A I thought the Court of Inquiry had sufficient evidence to cover those points but as it went along I did not think that.

THE COMMISSIONER: We are here to hear all complaints and if we consider it advisable we will endeavor to get the evidence but expect that people who make complaints will have some evidence to support the complaint and to assist us in ferreting it out.

A I thought from the conversations that were taking place that money had been paid to Mr.Olsen for these planks - that you had complaints on those grounds.

THE COMMISSIONER: No, the first I heard of it was when your letter came in.

Did you have any knowledge of it before, Mr.Coggles?

MR. COGGLES: No, my Lord.

MR. PARLER: The only information we had was that Olsen had received more money -

MR. BRYAN: The request you asked for was, was the money paid to Olsen?

THE COMMISSIONER: One complaint was that Akins was treating his relations very generously to the disadvantage of other tax payers and I suggested I would like to get a statement of all the monies that were paid to Akins' relatives.

MR. BRYAN: Yes. Perhaps that is it.

Q This lumber and planking that came from Mr.Olsen. Do you know if that was supposed to be entirely used on market roads or was it side roads as well.

A Both I think.

Q And you think there was not enough put into the market road even though you know it was bought for both roads?

A I am satisfied it was not in the market road, not the amount that was supposed to be there.

Q Do you know if there are any bridges in those roads that were surfaced?

A Which roads?

Q Any of the roads where the lumber would be used?

A On the market road they were re-surfaced.

Q And planking would be used in re-surfacing them?

A Yes.

Q The planking came from Mr. Olsen's farm did it?

A Yes I think it did.

Q And do you know why he happened to have it there?

A Well he sawed the lumber.

Q What was he going to use it for?

A I don't know. It is not likely he would use it for anything but road material because it was cut into three inch stuff.

Q In any event he had sawed it at his place and it was down there in the centre of this district?

A Yes.

Q And it was not stuff that was carted in or hauled?

A No.

Q It was right there where it could be used?

A Yes.

RENE MATTHYS recalled.

Q MR. PARLEE: You are already sworn?

A Yes.

Q You will remember when you were here last the evidence was that you had given an envelope containing \$55 to Mr. Taylor and Mr. Taylor says he gave it to Mr. Pidgeon and he got back another envelope with something in it and handed it over to you?

A Yes.

Q Mr. Collingridge was here yesterday and he gave evidence.

JAMES COLLINGRIDGE recalled.

Q MR. PARLEE: You will bear in mind you are still under oath?

A Yes.

Q And you stated you were present and heard Mr. Matthys say something about this money?

A Yes.

Q Who was present?

A Mr. Hopkins.

Q Anybody else?

A No.

Q Was Mr. Matthys -

A - and myself; just the three of us.

Q Whereabouts was it?

A In the Post Office.

Q In any particular ~~xxx~~ part. What part?

A Right in the lobby, in the rotunda.

Q What time of the day?

A To the best of my knowledge it was some time in the afternoon.

Q Getting on near evening meal time?

A About the time time Mr. Matthys collects his mail - yes.

Q And how did the conversation happen to arise?

A Mr. Matthys had made previous applications for his mail and I believe he expected a letter containing a receipt from Mr. Pidgeon and it never came and I got kind of nervous because I thought this here receipt may have gone astray and I thought it was my duty as Post Master to find out something about this letter. But after I found out that Mr. Pidgeon denies receiving this money I knew therefore there could not be any receipt coming; so that let me out. Otherwise I was not concerned in the matter at all. It was just a matter of upholding a principle of the post office to give people courtes\y and efficient service and when Mr. Matthys asked for his mail and it had not come and this letter was repeatedly asked for well I thought it was time I got busy. And soon after I heard Mr. Pidgeon denied receiving the money and therefore I knew the receipt could not be in the mail and I suggested to Mr. Matthys the best thing to do would be to see Mr. Taylor and get the thing straightened out with Mr. Taylor and Mr. Pidgeon.

Q You suggested yesterday Mr. Matthys made certain statements?

A Yes.

Q And what was the statement?

A Well that he could not get satisfaction out of Mr. Pidgeon or out of Mr. Taylor.

Q That is not quite the same. Yesterday you stated that Mr. Matthys told you what he had done with the money. He told you that he had given some money to Taylor?

A Yes.

Q Tell us the story.

A I do not think there was any story because Mr. Matthys was excited and he told me he gave the money to Mr. Taylor.

Q And what did you reply?

A I told him I always thought Mr. Taylor was a very efficient man and was always very accurate in his transactions and I believe he should have had a receipt.

Q And what did Matthy say?

A He said: "What can I do?" And I said: "I don't know what you can do, it is a matter between you and Mr. Taylor and Mr. Pidgeon."

Q You said more than that yesterday.

A Well I believe Mr. Matthy - he asked me what he could do and I said: "I don't know you can do anything," and he said: "I gave the money to Mr. Taylor," and I said: "Are you sure," and he said yes.

Q Did Matthys say anything about going to Taylor and speaking to him about the money?

A Well he as good as told me that.

Q What did he say?

A I don't think he made any direct statement regarding the money. He simply said he could not get no satisfaction from either party. That is the best of my knowledge of what he said.

Q Have we exhausted your recollection. It was this particular afternoon about mail time when Mr. Matthys comes to your post office and there is present Hopkins and yourself and Matthys. You gave us more evidence yesterday than that.

A I don't remember.

Q Did you say -

THE COMMISSIONER: Did Matthys tell you of any conversation which took place between himself and Taylor in regard to this matter?

A No your Honour. I believe to my best recollection he simply said he had been to Mr. Taylor and Mr. Taylor had had the money, I don't know - he could not get any satisfaction. I think those are the words he had used, he had been to Mr. Taylor and got no satisfaction, and I said: "Go to Pidgeon."

MR. PARLEE: Never mind your conclusions. Matthys said he had been to Taylor?

A I think so.

Q Well there was none of that yesterday.

A Yes, yes, he said he had been to Mr. Taylor.

Q And what was Taylor's reaction?

A He said he could not get no satisfaction from him.

Q Did Taylor remember getting the money?

A I don't know whether he remembered it. He said he gave it to him and I believe he had witnesses to prove he had received it.

Q Matthys told you he had been to Taylor and had asked Taylor about the money. Now what did Matthys say was Taylor's reaction when he first went to him about the receipt or about the money?

A I do not think he made any definite statement only he could not get any satisfaction of either party.

Q Did he say Taylor remembered or could not remember getting the money?

A I believe he said, I am almost sure, he said that Mr. Taylor was not quite clear. I believe those was the words.

Q You believe those are the words he used?

A I think so.

Q Are you sure about that?

A I would not be sure because it is a long while ago and as a matter of fact I was not interested in the matter at all.

Q And did Hopkins hear that?

A I believe so. He stood there. He came to get his mail.

(Testimony given by witness yesterday read).

Q Yesterday you said that Matthys told you in front of Hopkins that he had gone to Taylor and Taylor stated his mind was a complete blank. Are you prepared to say that today?

A To the best of my knowledge. I did not consider myself in any way connected with the affair. I was trying my best to get Mr. Matthys' money and if it was lost I was doing my best to get the money back for him.

Q You must remember you came here and you were on oath and you were very clear to us in one instance - that Matthys said he had been to Taylor and Matthys said he had been to Taylor and Taylor said his mind was a blank.

THE COMMISSIONER: Did Matthys make that statement?

A To the best of my knowledge.

Q Do you remember his having made the statement?

A Yes I am sure he made it.

Q Why didn't you tell us that this morning?

A I did not think that was the evidence you were asking for.

MR. PARLEE: What is your evidence today. Matthys came into the store before Hopkins and did you say anything to him about getting this cheque or sending it by the post office?

A That was a suggestion I made to him, that it would be a proper procedure.

Q And what did Matthys tell you that Taylor had said when he had been to him asking him about the money?

A That he could not get any satisfaction from either party.

Q What did Matthys say was Taylor's reaction to it?

A I don't know as he said any reaction. I did not ask him what his reaction was.

Q I asked you when Matthys went to Taylor and asked him about this envelope containing the money did or did not Matthys say that Taylor said his mind was a blank?

A Yes.

Q And what do you mean by saying he could not get any satisfaction?

A Well I suppose that is the manner he expressed himself.

Q He used the words "his mind was a blank?"

A Yes.

Q That is what he said?

A Yes.

Q Anything else my Lord?

THE COMMISSIONER: No. Only I wish he could give some reason for those particularly important words having escaped his memory this morning.

Q How do you explain not telling us those exact words this morning, because they are very important?

A Well I did not think they was—I did not think the matter was very serious. Mr. Matthys came to me.

Q Didn't you understand perfectly well that Mr. Parlee wanted you to tell the exact conversation that took place?

A Well that would be a difficult matter after all this time.

Q I suppose the sum and substance of it is it is very difficult and your recollection is not very clear?

A Not on that point, no.

MR. PARLEE: As a matter of fact you do not remember much about this conversation do you?

A No, I am afraid I don't.

Q And you were not fair in coming here and giving a conversation that you don't remember much about?

A No. I was just trying to justify my position as regards that ~~last~~

letter.

Q I am not concerned about justifying your position.

THE COMMISSIONER: Just tell us who you are trying to justify?

A If there was a letter in the mail.

Q Were you trying to justify somebody in this inquiry?

A No, I am not interested in this inquiry at all.

RENE MATTHYS recalled.

MR. PARLEE: You have heard all this?

A Yes.

Q And you heard Mr. Collingridge give his version of a conversation he heard. Do you remember this incident?

A Yes I remember it well.

Q And Mr. Hopkins was there?

A Yes.

Q And you heard Mr. Collingridge state that you were apparently not satisfied, you could not get much satisfaction?

A No I could not.

Q Did you tell Mr. Collingridge that you had been to Mr. Taylor and at his Taylor's mind, was a blank?

A Yes. Mr. Taylor said he could not remember back a year and when his wife came in there she said: "Yes, Bill it is right."

And he remembered.

Q And was that right at the conversation. You went to Taylor and Taylor did not remember?

A Taylor did not remember.

Q How long before had you given him the money?

A Well that is from June to the next February when I sent the money in to Pidgeon - that \$60.00.

Q You gave Taylor the money in June?

A Yes.

Q And the conversation took place in February?

A Found out in February what was wrong.

Q You went to Taylor in February and you asked about this money?

A Yes.

Q What did you say to Taylor?

A I asked if he had given the money to Mr. Pidgeon and he said:

"What money." and I said: "Do you remember I gave you \$55 in an envelope to hand to Mr. Pidgeon?" He said: "What are you talking about, man, a year backwards, I do not remember over a year or more" and Mrs. Taylor came in and said: "Yes Bill; I remember." And then it came back to his mind.

THE COMMISSIONER: Did you say you gave him \$55?

A I put the money in the envelope and I said: "Here will you hand that to Pidgeon, he will be here tomorrow, I don't know what the taxes are and I will get the change back."

Q I thought you said you gave him \$60?

A This was a year after, in February.

Q You gave Taylor another \$60?

A No, that had been sent to Mr. Foulkes with a cheque.

Q MR. BRYAN: Did you see Mr. Taylor on other occasions?

A You mean over some other matters?

A With regard to this?

A I seen him two or three times.

Q Before or after February?

A It was after he found out.

Q February was the first time you saw him about it?

A Yes.

Q When was it you got your change back?

A I got my change back a week afterwards.

MR. PARLME: A week afterwards?

Q That would be from the \$55.00.

Q MR. BRYAN: You say you came into Mr. Taylor's store and gave him an envelope with \$55 in it?

A Yes.

Q And you asked him to give it to Mr. Pidgeon?

A Yes.

Q And a week later you came back and he gives you some change?

A He gave me an envelope with some change in it.

Q Was there a tax receipt in it?

A Nothing in it.

Q Weren't you surprised at not gettin a tax receipt?

A Mr. Taylor said: "The receipt will be following" and that is why I went to the Post Office.

Q And you started to look in the post office for your receipt?

A Yes.

Q Weren't you surprised that when Mr. Pidgeon would send back the change he would not send the receipt?

A Well I just took the envelope. I did not think anything about it.

Q Did you talk long to Mr. Taylor about this?

A No. I just took the envelope.

Q How much change did you get?

A \$4 and some cents. I cannot say exactly.

Q You got four dollars and some cents back but you did not get any tax receipt with it?

A No. I did not get a tax receipt.

Q And then you see Mr. Taylor in February?

- A Yes.
- Q And he told you he did not remember anything about it?
- A Yes, that is what he told me.
- Q And what did you say then. Did you start to explain it to him?
- A Yes.
- Q You told him you had brought this money in an envelope on the day of the fair?
- A Yes, the day before.
- Q And did you tell him what kind of an envelope it was?
- A Sure.
- Q You told him you had brought it in a brown envelope?
- A Yes.
- Q And did you tell him you would come back a week later and get your change?
- A Yes.
- Q And you explained it had been in a brown envelope?
- A Yes.
- Q And he still told you he did not remember anything about it?
- A Yes.
- Q And his wife came in and said: "Yes you did get that."
- A Yes.
- Q And then what did he say?
- A He started to think it over and it came in his mind. He is handling so much business.
- Q And you explained this all to him when you came in that time?
- A Yes.
- Q You explained about coming with the envelope and coming and getting the envelope and he said he did not remember it?
- * And then his wife came in and reminded him and he said yes he

remember^{ed} it?

A Yes.

Q And what did he say then?

A He was going to see Pidgeon right away and look it up.

Q And did he say anything then to you about you not having received the tax receipt?

A No he never did.

Q When you gave him this envelope was the envelope open?

A I cannot hardly say, it is so long ago.

Q But you asked him to hand the envelope to Mr. Pidgeon?

A I asked him to hand that envelope with the money in it to Mr. Pidgeon.

Q And did you ask him to get your change and a receipt?

A No, I said: "He will be sending the change back with the receipt!"

Q And then didn't you look for your receipt when it came back?

A I have been looking in the post office.

Q You had been looking ever since up till February?

A Yes.

Q After this case of February when you saw Mr. Taylor when was the next time you saw him?

A It must have been a couple of weeks afterwards.

Q And what discussion took place then?

A He said: "We will go and see Pidgeon, we will drive up there and talk to him."

Q And did you do that?

A No, we never got around to it. I don't know how it happened.

Q Did you have any other discussions with Mr. Taylor?

A Well every time I went to town I asked him about it, how he came out with that business?

Q And what?

A And he either wrote a letter or called on Mr. Pidgeon.

Q What did he tell you when you asked him about it?

A He was going to settle it up as soon as he could.

Q Mr. Taylor said he was going to try to settle it up as soon as he could?

A Yes.

Q When you said February was that this year?

A It dragged on until this May when we took it up in the council.

Q You said you first saw him in February. Was it this year?

A No, last year's February.

Q And it dragged on until this summer?

A Yes. He went to Ontario last summer.

Q It dragged on for over a year. And during that time you never got any satisfaction out of Mr. Taylor?

A No never did.

Q And each time he told you he was going to make some arrangement with Mr. Pidgeon?

A Yes.

Q Didn't it seem strange to you that for a whole year and a half a man to whom you had given your money just let this matter drag on?

A Well I had Mr. Hopkins send a letter to Mr. Pidgeon and Mr. Pidgeon wrote back. He did not write till Mr. Taylor came back from Ontario.

Q And how long was he in Ontario?

A Oh all the last summer.

Q Anyway, all last summer the matter was not settled?

A No.

Q Did Mr. Taylor ever mention any question of settlement?

A No he never did.

Q Did he make any mention of you paying part and Mr. Street paying part?

A No.

Q He never said anything?

A No.

Q And what did he say to you when you called on him last winter?

A He was going to straighten it up in some way before the council and I told him I was going to straighten it up by taking it to the law.

Q But in any event for over a year Mr. Taylor does practically nothing but lets it drag anyway, when you had paid him \$55 and it was really his responsibility because it was paid into his hands. That is a fact?

A Yes.

Q And you were leaving it with Mr. Taylor?

A I told him it was up to him to fix it up because I had given him the money.

Q And then for nearly a year and a half he does not fix it up? (No answer).

Q THE COMMISSIONER: Did Mr. Taylor tell you why he was going to write to Pidgeon?

A He was going to write about the taxes and find out.

Q And find out what?

A What he had done with that money. He said he gave it to Pidgeon.

Q Is that letter in as an exhibit?

MR. PIDGEON: No I do not think it is.

Q THE COMMISSIONER: Can you get that letter?

MR. PIDGEON: He wrote a letter to me telling me to come and see him the first time I was in Duffield in connection with Matthys'

taxes.

Q Can we get the letter?

A I do not know your Honour.

Q MR. PARLEE: Was the tax notice in with the \$55?

A I never got a tax notice.

Q And do I understand you to say that the \$55 was just an estimate of what your taxes would be?

A Yes. I did not know exactly.

Q There was nothing inside the envelope but the money?

A Just the money.

Q Was the envelope addressed to anybody?

A To Mr. Pidgeon for taxes.

Q On any particular piece of land?

A Mr. Street's and Walter Street's quarter.

Q THE COMMISSIONER: Are you sure you got \$6 or \$5 in change?

A No it was \$4.00.

Q And what was the amount of the taxes?

A Well it must be fifty dollars and some cents.

I just found it out last February.

Q I ask for a statement of the taxes and the penalties.

And you gave this money when?

A The day before the picnic in 1929.

Q What day was the picnic?

A I can't remember it. It was in Duffield.

Q I am told it was about the 19th of June, 1929. And you had five or six months of penalty?

A It must be.

Q Mr. BRYAN: When you left your envelope with Mr. Taylor did you tell him how much was in the envelope?

A I said there was \$55.00.

Q Did you tell him it was for taxes?

A No.

Q Did you tell him what you thought the taxes were?

A No I never did. I told him I did not know.

Q Did you tell him why you put \$55 in it?

A I told him Pidgeon would be sending the change back.

Q THE COMMISSIONER: Have you figured out what the taxes and penalties are?

MR. PARLEE: \$52.47 to the end of June. He has it figured here.

THE COMMISSIONER: And there is no penalty in that?

A No. On the 1st of July there would be five per cent.

WILLIAM TAYLOR recalled.

Q THE COMMISSIONER: You were sworn before?

A Yes.

Q MR. PARLEE: Here is a tax notice Exhibit 16.

THE COMMISSIONER: Do I understand a tax payer gets his notice and there is nothing on it to indicate what are taxes and what are penalties. Is that the prescribed form?

MR. PIDGEON: There is no separate column showing penalties.

THE COMMISSIONER: Any separate statement?

A No.

Q THE COMMISSIONER: I have had lots of tax notices from municipalities and never have I received one that did not set out what I owed and what the penalties were and everything.

Is that the standard form, Mr. English?

MR. ENGLISH: It was but it has been altered.

Q MR. PARLET: You remember getting this envelope?

A I do.

Q Mr. Matthys says when he first spoke to you about it which he thinks was on or about February 1930 that you did not recollect?

A When he first came in I did not. He and Mr. Hopkins came in and he spoke something about did I give that money to Pidgeon and naturally being a matter close on to a year I said: "What money?" And he referred to it and I said: "Did you get your change?" And he said yes. And I said: "Let me think." and Mrs. Taylor was in the kitchen I think at the time and she came forward and said: "Yes I remember that envelope," and she refreshed my memory and I gave it further thought and said: "Yes I recollect that quite distinctly now, it was in a brown envelope." And he and I and Mr. Hopkins conversed back and forth about it. I asked him about when I gave him the change and he said the next time he was around and I said: "How long would that be?" And he said: "In about a week." And that is just about the time he comes to do his shopping.

Q Do you remember giving that envelope to Mr. Pidgeon?

A Yes I gave it to him the night of the picnic in my office.

Q That would be in June 1929?

A Yes. I gave him the envelope. To the best of my knowledge when Mr. Matthys presented me with this envelope it was sealed.

I never saw the contents of that envelope. He told me something about the amount of money that was in there and there would be some change but the taxes receipt would go to Mr. Street.

Mr. Matthys' name does not appear on the assessment roll in any way shape or form and assuming the receipt went to Walter Street he did not know anything about it. He was under the impression that all those papers would go to Walter Street the owner of the

assessment roll; and how those papers came to him I do not know.

Q Where did you get the envelope containing the change?

A In the store.

Q Did anybody hand it to you?

A Mr.Pidgeon.

Q About a week later?

A I can't say as to how long it was. I presume he could not give it to me that day because he would not know the taxes any more than I did, that is as to the amount.

Q He gave the change to you in a sealed envelope?

A I could not say whether it was sealed or not.

Q And you handed that envelope to Mr.Matthys?

A To Mr.Matthys when he was down next time.

Q And In February Mr.Matthys speaks to you about it. And what did you do as a result of that conversation?

A I am not sure as to what the date was. I said:"We will have to get in touch with Pidgeon about this" and if my memory serves me right I think I wrote to Mr.Pidgeon or I saw him and talked to him. Anyway, some time in May I think I had a letter from the secretary's office signed by Mrs.Pidgeon to the effect that there was no record of any account of taxes being paid to Mr.Matthys' account on that particular day and the matter so far as she was concerned was closed. I took the matter up then with Mr.Pidgeon and he was going to have a look.

Q How did you take the matter up with him?

A Personally with regards to refreshing his memory and the matter of the change. I said I could not very well ~~know~~ Mr.Matthys change for something I knew ~~I knew~~ nothing about. That was my main link

in the evidence.

Q When you spoke to Mr. Pidgeon did he remember?

A No he did not. But he has never denied or affirmed up to the present time to me of receiving or knowing anything about it - always going to have a look.

Q You said in your evidence here that you made an appointment to meet him on one Sunday?

A That is recently.

Q He says that on a certain Sunday he did go over and talk to you about it - one Sunday evening?

A Not on the 12th, the day I had the appointment. He was in Duffield. He may have called at my place and I may have been out in the back yard. But he did not call on the 12th because I looked it up.

Q I had a gentleman coming in to buy my business at that date who was in on the previous Friday and made the arrangement and he was in Duffield three days to move his office and his little daughter was in my store playing, and he never came.

Q He said he would meet you one Sunday evening and talk about it?

A Yes. We have met very few times without talking about it.

This is the fifth trip I have made to Stony Plain over this affair at my own expense and all I wanted from Mr. Pidgeon was an acknowledgement or denial so I would know where I was at.

Q Has he ever denied to you you gave him the money?

A Absolutely not, nor he has not acknowledged it.

Q Did you come before the council?

A Yes, this year, and I thought they would take action. And they sent us over to Pidgeon to look and we had a look and the council have done nothing. I have heard nothing about what the council did. Two or three of the councillors are present here now

and they know the matter was taken up. Mr. Street was there, Mr. Matthys and myself. And Mr. Pidgeon's final word was one day in the office that he and Mr. Taylor would get their heads together.

Q THE COMMISSIONER: Were you present at any gathering where a suggestion was made that this matter be fixed up, that you pay your share, Matthys pay his share and Street his share and Pidgeon pay his share?

A I was not.

Q There was evidence given in regard to that?

A Nobody has ever approached me on that subject at all. Mr. Matthys has told me he felt it was not up to him to pay the taxes again and I said as far as I was concerned other than the moral side of it I had no responsibility. I have done such things time and time again to accommodate people. When I came here it was not out of spite or malice. When I came here I came here to criticise Mr. Pidgeon as to being very negligent in this particular case and the council as a whole because I went down there as a ratepayer. I addressed Mr. Pidgeon two letters and said that I had heard he had given his decision to Mr. Matthys and Mr. Street and asked him to give me his decision and I never heard from him.

E. T. PIDGEON recalled.

THE COMMISSIONER: I want to know what taxes were owing in 1929?

A The arrears would be owing and the current taxes only. Mr. Matthys said he sent the money to pay for the 1928 taxes.

Q What was the levy for 1928 against that property?

A The 1929 taxes at the time Mr. Matthys paid this money in amounted

to \$52.47.

Q Does that include penalties?

A That includes penalties up to June 15th without adding on the 1st of July, another two weeks. But we made them up without that date because the date in question was around June and they amounted to \$52.47. In connection with the 1928 taxes Mr. Taylor will remember this, when we started to look we started to look in 1928 and we then said "no it was to pay 1928 taxes" and we looked through it and found it was to pay 1928 taxes, but it was paid 1929. Mr. Taylor will remember that.

MR. TAYLOR: Yes but the defence lawyer tried to establish the blame that I let the matter rest for a year. I have not and I went to the council as a whole.

Q THE COMMISSIONER: I want those letters produced that Taylor wrote in to the secretary.

A Yes your Honour if we have them we will get them. I recall getting the letters and they just said the first time I am in Duffield to call.

Q You can look right away; because if they cannot be found then I am going to let Mr. Taylor say what was in them.

MRS. PIDGEON: They cannot be found anywhere.

THE COMMISSIONER: What is your explanation of not being able to produce those letters now?

MR. PIDGEON: Mr. Taylor came to the council and asked about this affair and the council are here and they will bear it out and they said "it is a matter between you and Mr. Taylor and it has gone on a long time and neither of you seem to know much about it."

THE COMMISSIONER: Did you decide what letters you were going to

keep and what you were going to throw away?

A No.

Q If there is any case in which the letters should be kept it is certainly this one.

MR. PARLEE: What were the contents of the first letter you wrote to Mr. Pidgeon?

MR. TAYLOR: I addressed them to him personally, "E.H. Pidgeon, Stony Plain." I would not be certain whether I put "Secretary Treasurer of the Municipality" or not - "will you kindly give me by return of mail your stand in regard to this matter of the Matthys and Street taxes for these monies that were supposed to be handed over. I understand from Mr. Street that you are not accepting any responsibility. I want a personal reply from you," and I had no reply to that. Some two weeks later I wrote again referring to this letter and asked him pretty much along the same lines and I had no reply to that. Then it was about a week after he came in the store and stood around a while and said: "Can I see you a minute?" And I said: "Certainly." And he came back to the office and I let him do the talking and I listened a while and he said: "I will have another look. You will be home Sunday?" And I said yes, and that was July 12th of this year and I never left my property and when I knew this investigation was going on and I was being hounded by Mr. Street - Mr. Matthys was off the property and Mr. Street was left holding the sack and I asked Mr. Francey and he did not know and the secretary has not yet to this time told me whether he did or did not receive it. He has simply prolonged the agony. It has not been on any part of mine.

MR. PIDGEON: I think most of the council are here and

keep and what can be

A No.

Q It there is

is certainly this one.

MR. PARSONS:

wrote to

MR. TATUM:

Story of

"Scottish"

kindly

matter

were

that

person I

two were

said that

my property

and I was being

property and Mr. Stroot

agency and he did not know

at this time

any. It has not been on any

they could probably remember quite well what I told Mr. Taylor when the case was presented to the council. I said as far as I was concerned I remembered nothing about receiving the money.

THE COMMISSIONER: Why didn't you answer those letters and put it in writing?

A Well I have been down there often enough.

Q Mr. Taylor asked you to let him have a reply by return mail, he wanted it in writing. Why didn't you write him?

A Well I saw Mr. Taylor. I did not think it was necessary.

Q Why did you say you would look it up and look it up?

A Well we certainly made exhaustive searches. We searched every quarter in this division thinking the money might have got on the wrong land and we were searching in the wrong year, all along.

MR. BRYAN: This letter was a sealed envelope, the one you got from Matthys?

A MR. TAYLOR: I can't say as to that.

Q You said a minute ago it was sealed?

A No. I could not say whether that letter was sealed or not.

My recollection is it was a brown envelope like Simpsons or Batons use.

Q When Mr. Matthys came in and got the other envelope did he open it in your store?

A No he did not open it and he walked away. If I remember correctly he told me the receipt would be sent to Walter Street the owner and the man who was assessed.

Q He says here he expected it?

A I don't know about his evidence. I am just giving mine.

Q He told you the receipt would go to Walter Street?

A Yes he did, I presume, because there was no receipt enclosed.

Q Well why would he keep going to the post office if he did not hope to get a receipt?

A I don't know. You will have to ask him that question.

Q You knew there was money in this envelope?

A Yes from what he told me.

Q Did he mention the amount of the taxes?

A He said there would be some change coming to him.

Q Did he say how much?

A No.

Q Did he say they were around \$50?

A I would not make a statement of that because I am not just certain He may have. I would not deny or affirm that.

Q He may have stated to you his taxes were around \$50 and he was sending \$55?

A Yes.

Q And did he mention about the amount he got back?

A I cannot recall that either. I handed him this. I think he made some mention that the receipt would no doubt go to Walter Street.

Q When was that?

A When he got the envelope.

Q How would he know that if he did not open the envelope?

A Well I did not stand there. I went on doing something else.

Q You said he took the envelope and went out?

THE COMMISSIONER: He said he handed him the envelope and then he went away.

A I am not trying to get away from it.

MR. BRYAN: No, but I want some information.

A And I will give you information.

Q He mentioned about there was no receipt there. You are convinced of that?

A I have said that. I think that.

Q When he came at a later date did he tell you how much change he got?

A Not the specific change.

Q And he did not mention it to you in the store?

A He never mentioned the specific change he got to me.

Q Did he mention the amount of the taxes?

A No the only thing I knew was when they came to ferret it out from the roll.

Q Did you check up the amount of taxes with Mr. Pidgeon?

A No. Mr. Matthys and Mr. Street were looking the figures over.

Q They checked it up?

A Yes.

Q And do you know what they found then?

A I do not.

Q Was it \$52.47?

A Between \$50 and \$55.

Q Was there any mention about the fact he got \$4.00 back?

A There was some mention of that at the last.

Q That they had received too much change?

A No. He thought he received four dollars and something and I think they proved out those figures the last time I was here.

Q How do you mean "proved them out?"

A With Mr. Pidgeon's receipt there. That is when I was here two weeks ago.

Q When you went in with Mr. Street did you check this up in the roll?

A I did not. I do not know anything about that roll.

Q Were there any comments made about the amount of change he got?

A No not to my knowledge.

Q There were no comments made at all?

A No, Mr. Matthys has never been exactly certain to a cent.

Four dollars and some odd cents has been given in his evidence.

Q And there has been no comment about him getting too much?

A No.

Q Why didn't you take a receipt for that?

A I was not accepting anything. I used to do those things daily.

Some one would come in and say "will you give this sixty cents to somebody" it would be in an envelope and I would throw it in the drawer and give it to him. In numerous cases I have simply taken the envelope and handed it to the customer. I had a case in point last week where I handed a man sixty cents.

Q You are not running a very big chance now?

A No, I am getting wise now.

Q Now when did it come to your notice that Mr. Pidgeon denied responsibility?

A Some time between the 1st of July and the time we were at this meeting. It was after our meeting down here.

Q After?

A After we had been to the council which I think was in May.

Of course the records would show.

Q Do you know if Mr. Street ever had any correspondence before that?

A I could not tell you.

Q But in any event after being at the council meeting Mr. Street advised you?

A Some time between that and July. He wrote about another matter and ended up by saying that Mr. Pidgeon was denying the responsibility.

Q Did he say he never recollected getting any money from you?

A He has never denied or affirmed it. He has never yet affirmed

or denied receiving that money, to me. He may have to others

Q But surely he would say something about not remembering the transaction?

A He may have done that.

Q He said he never remembered getting the money?

A He did not.

Q Well about the transaction at all?

A No, no.

Q Well what did he say - he didn't remember?

A The last time he spoke to me about it and Mr. Street and Mr. Matthys was there, was that he and Bill would have to get their heads together.

Q Bill who?

A I don't know unless it is a fellow about my size. And I said as far as I am concerned I have worked all the grey matter I want to.

Q Did you ever have any other dealings with Mr. Pidgeon?

A Yes. I helped him sell a car within two months ago.

Q You were always a good friend of his?

A Always was and am now if he wants to accept my friendship.

MR. PARLER: There is no animus there?

A No. I have given my evidence straight and I want to be convicted or declared innocent. I think the council as much to blame as Mr. Pidgeon is.

THE COMMISSIONER: Did they give you any definite answer at the council meeting?

A No. We went over to have another look and when we left Mr. Pidgeon, presuming he would go back to the council, said: "Well we will have to get our heads together and have another look."

Q Did he say that in the council meeting?

A I don't know what he said in the council meeting. But leaving my

business to come down here - to leave my business with the boys/sixteen years of age is not pleasant.

Q How many trips have you made?

A I have been over to Wabamun to interview the councillors last February and I have made at least three trips to Edmonton to see Mr. Street regarding the matter and I think this is the fifth trip I have been down here on the matter at my own expense.

Q It would almost have paid you to have given the cheque at the start?

A Well I was beginning to think that. Mr. Bryan speaks about our friendship. I have always turned all the business I could to him and he has done the same to me.

Q You do not accuse Pidgeon of getting \$52.47 and stealing it?

A No, absolutely not.

Q But you say the difficulty arises from an error on his part?

A Yes if he had taken the stand in February 1930 that he has taken today this thing would never have appeared here at all but I could not get any satisfaction from him or the council and I have to come to the Commission. I do not call it British fair play.

MR. PARLEE: If Pidgeon got the money it puts you in a rather unenviable position?

A It does indeed, sir.

THE COMMISSIONER: Of course I only think it is fair to put the other question that if Pidgeon did get the money, ^{it puts} him in rather an unenviable position.

MR. PARLEE: Oh that naturally follows.

THE COMMISSIONER: But I think the solution is that the whole difficulty arises over carelessness on the part of somebody?

A That is it exactly.

Q And you do not think it is a matter of wilfully misappropriating funds or stealing?

A No.

Q You do not suggest that against Pidgeon?

A No. I certainly think he has a lot more ability than I have when it comes down to the job he is on. I do not say whether he has exercised that ability. That is for the Court to say.

Q As a tax payer would you care to express an opinion in regard to that last item. Do you think as a tax payer that the affairs of the secretary's office have been well administered?

A No I do not. I think Mr. Pidgeon has had too many other obligations to look after to give it the real attention it requires. I think if the council had used good sense they would have given the job in the first place to his wife who has ability and can look after it. Two cannot look after one job.

MR. BRYAN: There are one or two points I would like to mention.

In the first place I want to do everything I can to shorten the matter and I think in fairness to some of my clients I ought to make a statement with regard to two points. There have been three or four things mentioned here which were not proven and I am not going to call witnesses to disprove them.

THE COMMISSIONER: What are those?

MR. BRYAN: The ^{ed} question was mention^{ed} by Mr. McDonald to the effect that he had heard that some offer had been made to Mr. Everington, Mr. Miller and Mr. Lutz in regard to the election. He said he could not swear to it. Now if you wish I will call these people. The same was also mentioned with regard to Mr.

Don McDonald and also with regard to Mr. Schoultz. Now I do not want to unduly prolong the investigation. I had them down on my list to disprove this statement.

THE COMMISSIONER: Well if there is no other evidence they will never be convicted of bribery and corruption. You do not expect me to find that on that evidence?

MR. PARLEE: No, sir. I made it quite plain at the time.

THE COMMISSIONER: Of course we have one on which we have a direct statement, with regard to Mr. Kreye goin to the old lady.

MR. BRYAN: But in relation to the matters that were only hearsay I do not propose to call witnesses with regard to that. I wish to draw to the attention of the Commissioner some of the gross exaggerations which are being made here. Mr. Brickson, I think it was, made the statement here that out of \$3400 spent in 1929 if it were looked up the records would show that the majority of it went to six people.

THE COMMISSIONER: That is why I wanted a statement.

MR. PARLEE: Wasn't it Fred Wilkins made that statement?

MR. BRYAN: Oh yes.

Q THE COMMISSIONER: What were their taxes?

A \$373.00.

Q And they received how much?

A \$326. And some were on the market road.

THE COMMISSIONER: So that the total amount which those men received whom Wilkins alleged were getting the great bulk of the road work in money did not amount to the amount for which they were liable for taxes?

MR. BRYAN: Yes.

Statement of amount of taxes owing and
amounts earned on road work for the
year 1930, filed as Exhibit 53.

CHARLES CLARK called and sworn, testified as
follows:

Q THE COMMISSIONER: You live where?

A Division 2.

Q And who is the councillor?

A Mr.Kreye.

Q MR. BRYAN: You are foreman for Mr,Kreye?

A Yes I have been for the last four years on part of the work.

Q What part?

THE COMMISSIONER: What are you going to deal with. What do
you think is necessary?

MR. BRYAN: I was going to touch on various points which were
actually mentioned by other witnesses, briefly touch on
certain parties who said they had been refused work or given
an undue amount of work.

Q Can you tell us what instructions Mr.Kreye gave you with
regard to road work?

A The general instructions was to do a certain piece of work
at a certain time.

Q Would he tell you how much you had to spend on that?

A Yes he gave me an estimate of what was to be spent on a piece
of road.

Q Are you guilty of overexpenditure?

A No,sir. I always stayed within the limit.

Q You are not one of those?

A Except if it was going to be \$5 or \$10 over I would ask for it.

Q But you have always stayed within the limit?

A Yes.

Q What is the general policy with regard to the work on the Government grant. Who is allowed to work on that?

A I do not think anybody is debarred.

Q What is your general practice with regard to obtaining the men?

A To call out a crew as near as possible and take on everything else that comes along asking for work, afterwards. They generally know when work is started.

Q You pick up your crew as near as you can to the point where enough work is being done?

A Yes and we take on everything that comes that we have machinery for.

Q And do you notify these people yourself?

A Yes to start with I do. I call them out to work at a certain time on a certain piece of road.

Q Do you tell them the amount they can work?

A Well it has not been specified what they can work under the Government grant, not up to this year.

THE COMMISSIONER: What do you mean by that?

A Well there is a lot of vacant land that has no resident ratepayer, owned by land companies and there is so much money to be expended when you get the grant and so much work to be done and you have to pick enough men to do the work.

Q And you could not get enough men otherwise?

A No.

MR. BRYAN:

MR. BRYAN: And that is perhaps the reason why some of the men have worked more, because you could not get the men otherwise?

A Yes.

Q Now with regard to Mr. Dan McDonald and Mr. J. McDonald.

Were they refused work?

A Never were. I have called them out every year. There is only one year they worked under me. Of course different times since that Dan has been road foreman and worked on the market road but I have never passed him up.

THE COMMISSIONER: Have you ever refused to give any man work who is entitled to it?

A No.

Q Have you ever refused to give any man any work whether he had taxes to work out or not?

A I do not know whether he had back taxes or not. I never refused anybody.

Q You never refused anybody, that is providing you had work?

A Yes.

Q And the only limitations you had was if you had not sufficient machinery and you could not employ them?

A I would tell them so.

MR. BRYAN: There is one instance where John Drabeck had been refused?

A No but he never asked for it himself.

Q Did you notify him?

A No, but I told Mr. Erickson to let him know.

Q And he has been notified to come on the road?

A Yes.

Q And there is one point here - Mr. Wilkins in 1930. Do you know what he worked out?

A Between him and his boys he worked quite a bit, over three times

what the taxes amounted to.

Q And he has no kick?

A No he has no kick coming on that.

THE COMMISSIONER: Did any of these tax payers go to you at any time and complain they were not getting fair treatment in not being allowed to work on the road?

A Not up to this year and a number complained because they could not work only forty per cent at one end of the division, and on the other end there was more and they worked 100%.

Q And you let the people who lived near do the 100%?

A Well within four miles.

Q And these people who lived on the south end did not come within that radius?

A No.

Q And I suppose you have to formulate some rules limiting the area from which you will draw the men?

A Yes, the council formed the rule this spring.

Q Did Kreye ever tell you not to call any people?

A He never did.

Q Or place any restrictions on you?

A None at all.

Q There was a question about some trouble which had arisen between Mr. McDonald and Mr. Shaw. Do you know what that was at the time when Mr. Kreye ran against Mr. Shaw - just about that time. Do you know if there was any trouble?

A Well nothing but spite, the one was jealous of the other.

Q Dan was previous councillor to Mr. Shaw?

A Yes.

Q Well what is the fight with Kreye?

A He made more complaints than anybody else.

Q And the previous councillor had the same trouble with this man as Mr. Kreye has been having?

A Yes.

MR. BRYAN: There is one point here that was discussed at some length - the question of a tax receipt supposed to have been given to one Rod Macleod. It was supposed to have gone to you where Mr. Rod Macleod worked. Do you know anything about that?

A Well he worked out the taxes. It was a common custom to appoint anybody and ask him to work it out.

THE COMMISSIONER: How is that?

A A farmer wished his taxes worked out on a certain road and was not there to do it himself but he had told the road foreman to appoint someone to work that out and he would pay him and he got his taxes worked that way. That was years ago when they had a system of working their taxes out on certain roads.

Q Why wouldn't he go to the municipality and pay the taxes?

A Well the work would not be done on that certain road. He wanted his tax money applied on a road near his own place.

Q Should it not be done on that certain road?

A Well the money is paid into the secretary and the work is not done there. It might be done and it might not. We are talking of the work seven or eight years ago.

Q A man owns a half section of land on one road?

A Yes.

Q And then he wishes road work done on a road five miles away?

A Well that would not work.

Q Well a mile away?

A Well if the road is going to benefit him and he could not get to it himself he would ask me to put on someone else to work the

taxes out and if I put him on he would appear as working for that year and the tax receipt would come to the man who worked.

Q Why couldn't he send his hired man?

A Well perhaps he would not have one.

Q Well couldn't he hire a man and just put him to work his taxes?

A Yes.

Q And you say that he would pay to you an amount equal to his taxes.

A Yes equal to his taxes.

Q And you would take and hire a man and would pay him out of that money?

A I would give him that money.

Q And you would send in the road work to the secretary treasurer's office and get a credit for road work on his taxes?

A No not quite. But the man who did the work got the receipt for the taxes and he got the money he earned.

Q Well John Jones, say, owns a quarter section on a road here and a half section on a road a mile away.

A Yes.

Q He cannot go to the road a mile away to work out his taxes?

A Yes.

Q But he goes to you and he says: "Here my taxes on this half section would be \$50, I am going to give you \$50 in cash." Is that correct?

A No, he would pay it when the tax receipt came in. He would either pass it over to me or pay it when the tax receipt came in.

Q Pay who?

A He would pay the man who did the work.

Q Well that would be his hired man?

A Yes.

Q The only thing is that you hired the man for him?

A Yes.

Q And you gave him credit for road work on the taxes on that half section?

A Yes.

Q That credit goes into the secretary treasurer's office and he gets a credit on his taxes and then he pays to that hired man whatever is coming to him?

A Yes.

Q What would he pay him - the regular wages?

A The municipal wages.

Q And why couldn't John Jones in the first instance just go and hire a man and say "go over and work on that road where my half section is."

Q I was referring to an absentee owner. That applied in this case to where Rod Macleod was. Otherwise when they are living in the district you send them there to get their money. You give them a note certifying they have done work and they can go there and collect.

Q How many cases had you there?

A That was the only case. We had another case where the owner was living in the district this year and he made arrangement for two men to do his work, and I certified to it.

Q Was there anything dishonest about it?

A No.

Q You were not getting a rake-off?

A No, not getting a cent.

Q MR. BRYAN: And there was nothing wrong at all with regard to this Rod Macleod receipt which you were supposed to have put on the taxes?

A No.

Q And there is another statement with regard to Rod Macleod to the

effect that he was working at Mrs. Fryer's place and also on the road. There is an affidavit to the effect he worked on Mrs. Fryer's place and Macleod made a statement he worked for you at the same time?

A Impossible.

Q Well can you explain that?

A That same Fall there was some time sheets came back from the secretary, the June and July time sheets got mixed up. But there was one or two in each bundle pinned together and had the dates on them and then the expenditure was on the back of one in each bundle and the pins got out and they got separated and the June and July time sheets got mixed up. I do not think there is any time sheet to cover that affidavit (referring to Exhibit 25).

Q As far as you were concerned there is no man ever worked under you and also worked on another farm?

A Impossible.

Q There has been some question about certain lumber which was hauled and left with Mr. Kreye.

THE COMMISSIONER: The evidence is there were fifteen planks taken over to a creek where he wanted to get to a back concession to thresh and after the threshing was over he put them back.

The only effect that can have is that it is an irregularity which starts people talking in the community; and they finally conclude he stole them. But the evidence was quite clear as to what Kreye did.

MR. BRYAN: And all that plank lumber went into culverts or bridges?

A Yes.

Q Did you know of this lumber being used on this place?

A No, but I knew of it being used alongside the road. I hauled

- Q I wheat for myself part of the winter and they were all taken out in the spring and used in the bridge.
- Q And there is another case that has been brought up in which you were more or less interested. There was a statement made to you about an additional vote of \$500 which was given to Mr. Kreye and that apparently was put in the wrong place. Can you tell us what happened in that place?
- Q I believe he had some additional money granted for the market road, but that has nothing to do with the work elsewhere. That was the regular grant.
- Q And you went up to do that work on that hill?
- A No, Dan McDonald did that work.
- Q Do you know how much he worked out?
- A I have no idea.
- Q Was there any balance left?
- A I never inquired into what he done.
- Q Mr. Wilkins mentioned something about the remainder was to go on to his place?
- A I do not think there was anything went through the council.
- Q Do you know of any work which was done near Mr. Kreye's after the date of this work on the hill?
- A I do not. Before that there was work done west of Mr. Kreye's, the road west.
- Q The implication was that money was voted by the council to cut that hill and that Mr. Kreye just did a little of the work and put the rest into his place?
- A Oh no. Before that date it was done on the west side.
- Q With regard to Mr. Kreye. Do you know of him ever doing any work on the roads? the people what they did

A I have known of his horses doing work and I have known of himself and tractor doing work on the road.

Q But with regard to his horses; do you know if he ever got paid for them?

A He never did.

Q What would he put his horses on for?

A To get the road done when they were short of power to make up the crew and he would voluntarily put his horses there.

Q And he got pay for it?

A No he got no pay for it. I put it on the time sheet and he scratched it out.

Q And what about the tractor. Was that on his place?

A No it was not.

Q And it has been his habit to put the tractor on and horses at odd times and get nothing for it, and it was done just to assist you in the work?

A Yes he did that for two years.

Q To what extent would he work?

A I believe at the time the time sheet came back to me he scratched off \$22.50. He said the man did not own the horses. That is the explanation he made to me after it came back. He would scratch it off and he did not change it at all. And the tractor he worked for about between three and four hours, plowing as we needed.

Q That is other than the one we have heard so much about?

A No that has never appeared on the time sheet at all. That was donated, to help us get the stumps off the ground. There were some poplar six or eight inches through and some big willow.

Q You perhaps know more about Mr. Kreye's division. And the Judge has asked some of the people what they think is the cause of the trouble. And can you give us what you think is the cause of the

trouble in Mr.Kreye's division?

A Well the most of it is old petty stuff and jealousy around our division. As long as they have a time sheet to fill out it is all right and as soon as they are taken off as foremen they start kicking. They are not out to build road at all but to see what they can get out of it and if they cannot get anything out of it the council men are no good.

THE COMMISSIONER: They do not approve of councillors who want an honest day's work?

A They do not seem to.

Q MR. BRYAN: Who ran against Mr.Kreye?

A I believe Jim Young.

Q Do you know how the vote stood?

A No I could not tell you. I cannot think of it.

MR. PARLEE: Did you ever receive any instructions from Mr.Kreye as to whom to employ?

A No, sir.

Q Did you ever receive any instructions as to whom not to employ?

A No, sir.

Q Then I take it that your evidence is that Mr.Kreye has never influenced you in any way as to what persons you should call out on the road?

A That is right.

Q Therefore I take it that your evidence is that Mr.Kreye was very fair and he left the matter to you?

A He left the matter to me, most of it.

Q Well most of it.

A Except this year, and I got a list of the percentages each one was

Q to work.

Q So if they had a complaint at all it would not be against Mr. Kreye but against you?

A It seems that way.

Q You say that these are petty jealousies against people who live near the market road. To whom do they refer? Name them.

A Dan McDonald for one and Mr. Erickson. I believe those are our chief two kickers - seem to be.

Q And is there anybody else displays this petty jealousy to which you refer?

A Well there are a few stay with the others.

Q We have this sum total of them - this is two.

A Yes.

Q MR. BRYAN: With regard to the signing of time sheets. Who gets the signatures on there?

A I do.

Q Does Mr. Kreye ever pass it?

A No, sir, he never touches them.

Q He hands them to you and you are the doctor and you have to have them filled out?

A I get them done right there on the road.

Q And what do you do with them?

A I take them home and complete them and turn them over to Kreye completed.

Q And there is no case of him having to run after signatures?

A No.

THE COMMISSIONER: And if you do not get a man's signature do you sign his name?

A Never did.

Q Do you think that is good practice?

A It is not.

Q And have you ever altered your time sheet after a man has signed it certifying his work?

A No.

Q A man signs on the certification line that he has worked so many hours and the hours are all sent in. Have you ever changed them?

A Never changed them afterwards.

Q And you think when a time sheet is certified ^{to} by you as foreman that that should not be revised under any consideration?

A It should not.

MR. BRYAN: Mr. McDonald gave evidence to the effect that Mrs. Fryer was sick and unable to attend and an affidavit was placed in due to the fact that she could not appear. Now for the same reason I would also like to produce an affidavit of the same party that she cannot come here.

THE COMMISSIONER: Mrs. Fryer's?

MR. BRYAN: Yes.

THE COMMISSIONER: Well I am satisfied she cannot come if there are affidavits from both of you.

MR. BRYAN: (Reading affidavit).

THE COMMISSIONER: What was the other affidavit?

MR. BRYAN: With regard to Rod McDonald.

Affidavit of Martha L. Fryer filed as
Exhibit 54.

Affidavit of Julia Fryer filed as
Exhibit 55.

THE COMMISSIONER: I do not suppose Mr.Parlee is going to contend very seriously there is much bribery or corruption in the election.

MR. BRYAN: No. But I thought I had better clear up that one specific point.

GEORGE AKINS recalled.

THE COMMISSIONER: You are under oath now?

A Yes.

Q MR. PARLEE: You were present when I read that letter from Mr. Ibsen?

A I heard you read some of it this morning.

Q I will read it again (reading).

Letter from W.C.Ibsen to Counsel
filed as Exhibit 56.

Q Do you know anything about this?

A I believe Mr.Bjerkness got a cheque for \$35.

Q Do you know whether it was donated?

A Yes he was doing some work. He was to do all the work and be paid for part of it.

Q Do you know whether there was a pay sheet?

A I don't know but it seems to me there was a bill sent in.

Q Do you know anything wrong about this?

A No I do not know anything about it.

Q THE COMMISSIONER: I would gather he means that while he got \$35 still there was a pay sheet which included the other half and

he got paid for that too - some subterfuge.

MR. PARLEE: Is there any way we can locate that to confirm or refute it?

A No. You might find it in the office.

Q When was the work done?

A I believe in 1929.

Q So far as you know was there anything wrong?

A No.

Q Or subterfuge about it?

A No.

Q His Lordship suggests there was a time sheet put in which would cover the other half of it?

A It might possibly have happened but I do not think so.

In the first place I consider Mr. Bjerkness a gentleman and I do not believe he would do anything like that. But he was to do all the work and get paid ^{for} half of it.

Q What does all this mean about the culvert?

A I do not know unless he is trying to intimate there was more material paid for than we got.

Q And you cannot confirm it or deny it?

A No absolutely not.

Q Who was the foreman?

A Peter Millar.

Q Do you know anything about it?

A I know there was quite a large culvert put in near Rudolph Wagner's place.

Q THE COMMISSIONER: Was it on the market road?

A No.

Q Was it included in the market road payrolls?

A I cannot say as to that.

MR. PARLIE: What is wrong with it?

A Nothing wrong with it only as to the location of the work.

Q (Reading). Did you promise Wagner this, that you would put this road in?

A I promised him ever since I have been on the council that I would fix him a road as soon as we could.

Q And did you promise just before elections?

A I am not prepared to say. I don't remember. I have always promised it ever since I have been on the council.

Q How long have you been on the council?

A This is the fourth year.

Q Have you promised him each time before the election?

A I don't think so.

Q Did you wish to influence his vote?

A I think not.

Q Did you promise him to do this just before the elections in 1930?

A Unless someone else did it for me.

Q But did you see him before the elections yourself?

A I have no recollection. But I did tell him repeatedly that I would fix his road as soon as we could.

Q And it has been fixed now?

A Yes.

THE COMMISSIONER: I suppose councillors are like others and members of the Federal Parliament. They promise railroads all over, and municipal councillors promise roads, just about election time?

A Well it is often done but I did not do it in this particular case.

Q MR. PARLIE: Have you any further comments to make on this letter?

A No I don't think so.

Q What relation is Olse%, who supplied the lumber to you?

A My brother-in-law.

Q And do you know how much you bought?

A My understanding was we were to pay so much a foot at the culverts. He was to furnish the lumber to build the culverts, and deliver them on the ground.

Q And he would have nothing to do with putting them in place?

A No, he would just haul them to the location the foreman indicated.

Q And where are they built?

A By cross pieces on the inside and on the top on the outsides and cross pieces on the bottom and three inch material.

Q Will you tell the Court your experience with this construction company. What happened to you?

A Well I went over the road first of all so that they could see the kind of road they were supposed to do.

Q What is this?

A The Bjorken Construction Company.

THE COMMISSIONER: Did they ever work in your district?

A Yes.

Q Before that or after that?

A After that. After they left Division 6 they went to Division 4 and then they went to Division 3.

Q Do I understand that this is the construction company that ran into such a heavy expenditure in the Edmonton Beach Road?

A Yes.

Q And then you all hired them after that in your own district?

A Yes. Of course we had no information what they had spent then. We went over the road and I asked them for an estimate of what it would cost per mile and they said it would cost about \$150 per mile.

Q To do what work?

A To cut down the hill and grade it. I said: "I am satisfied you

cannot cut it down for that" but I was satisfied if we could cut it down for \$300 a mile, which would earn their money.

And as a matter of fact it cost nearer \$500 a mile. And they went to work and opened up the whole four miles of road and I had to overspend a few dollars in order to get the road fixed up.

Q And did you pay them \$500?

A Yes they were working by the hour.

Q Do you think it is good business to hire any contracting firm that cannot judge their costs any better than that concern?

A No.

Q When they said \$150 you knew they were wrong?

A Yes.

Q Do you think it is good business to hire a contracting business firm without any more experience than that?

A No, but I put a foreman over them and timekeeper.

Q But I do not think it is good business, hiring a concern with no better knowledge than that?

A This same spring they came to Mr. Howat and they wanted to do some work and I said to Mr. Howat never to make any deal with them but to pay them by the hour, that I considered they were an inefficient outfit and they did not do the work as they should.

And he said: "Well they claim they can do it for \$200 a mile"

and I said if they claim they can do it for \$200 a mile you had better make a contract to do it at \$400 a mile.

Q Are you hiring them now in the districts?

A No, sir. They are through as far as I am concerned.

Q MR. BRYAN: There has been considerable discussion with regard to overexpenditures in districts. Will you tell his Lordship the situation in your division?

A Well last year it was around \$275. I expected to be well to the

good.

Q How did that happen. Or did you get caught with some extra culvert work?

A Well just this spring, I did not expect to have to buy much culvert material and the other day Mr. Ibsen was in my place and said one of the bridges was in bad repair and I told him to fix it as I knew the culvert was gone. And he had some of his own lumber and I made the best deal I could with him. It is three inch material and he went and put in a bill for \$100.00.

Q Who was that?

A Mr. Ibsen. So when you say you should not do this and not do that, you cannot always do what you would like to do.

Q I suppose you put in a certain amount for contingencies?

A Well we usually try to have a surplus but we have not been able to keep within our budget very well. You know it takes a year or two before you get on to things and you have to make allowances for it.

Q But if you keep in touch with your foreman you could know exactly where you stood?

A But they are here and all over and you cannot expect them to know. They do not keep books and I do not think myself as far as Mr. Goerz is concerned that he is entirely to blame. I think the council should take their share of the blame.

Q Was it discussed in the council?

A Yes and the whole council was well aware he was going to work on this road.

THE COMMISSIONER: Were they well aware he was going to over-expend \$2500?

A No, they did not expect that.

Q They knew what the appropriation was?

A Yes and I blame the Department for that. The resident engineer should have seen it was built up to standard and they should have paid their half of it.

Q And what would it have cost Mr. Georz then?

A IT is \$1900 and if they had paid their share of it it would not have put Mr. Georz in his present position. It is a fact the Department just passed the buck to Mr. Georz, that is all.

That is my way of looking at it.

THE COMMISSIONER: All councillors know that the Statute expressly prohibits over expenditures?

A Yes.

Q Don't you think it would be good business to let the ratepayers yell and keep within the terms of the act?

A Well we do to a certain extent.

MR. BRYAN: Do you know when the overexpenditure business started?

A Since 1927 I believe.

Q Do you remember when that was?

A In Mr. Howat's division. Still I am not saying Mr. Howat is responsible for that. There may be certain things.

x

Inquiry adjourns till 2:00 p.m.

2:00 p.m. Inquiry resumes.

Q. You mean it

was

x

GEORGE AKINS recalled.

Q MR. BRYAN: What do these accounts cover?

A Culverts.

Q Ready-made were they?

A Yes.

Q And were they treated?

A Yes.

Q Where was this lumber at the time you purchased it?

A On Mr. Olsen's farm.

Q Would that be about the centre of the division?

A No it is not exactly the centre but it is east of the centre.

It was fairly well in the centre.

Q It would save a lot of hauling?

A Yes but that should not enter into it. We have to get the material where we can.

Q Could you get it anywhere else?

A I do not know of anywhere else at the time.

Q Did you have any other offers of material?

A Not that I remember of. and this material was not got for culvert purposes. It was got to floor a barn, three inch stuff and the barn was never built because he sold the farm.

Q Was there anything unfair in the price?

A No, sir, I think the price was reasonable everything considered.

It was very much cheaper than the metal culverts because it would carry twice the amount of water.

Q You mean in the long run?

A Yes. Some of those were made about three feet square and a metal culvert of that size would have cost an awful lot of money.

They were treated with this creosote.

Q And there was no favouritism?

A Not to my knowledge.

Q And you did this because that was the best deal you could make?

A Yes. As a matter of fact I do not know of anyone else in the division at that time could have delivered the stuff to us. We thought it would be better to buy that material than it would be to ship the metal culvert in because we were leaving money in ~~in~~ the district.

Q You say "we" thought that. Who is "we"?

A Well myself.

Q Did it come up in the council?

A Well I don't know.

Q But they knew you bought them there?

A Yes they must have known when the bills came in.

Q And as far as you know it was the most economical place to get them?

A Yes.

Statement showing cost of culvert
material filed as Exhibit 57.

Q MR. PARLEE: It would appear in 1928 your division bought a grader?

A Yes.

Q What was the price of it?

A \$1260 I think.

Q And \$150 cash was paid on it. Do you remember that?

A No.

Q It was purchased from the Richardson Road Machinery Company?

A Yes.

Q And it is addressed to Mr. Howat under date April 8, 1930 (reading)

My instructions are that that did not appear on the audit for the year 1928.

Q What did not appear?

Q The outstanding liability?

A It had nothing to do with me.

Q Did you have anything to do with it, with having it left off?

A No.

Q Did it appear in the audit of 1929?

A I have no recollection of it.

Q Do you know?

A No I do not know.

Q Was it left off at your request?

A No, sir, never was.

Q Do you know whether it appeared in the accounts for 1928?

A Well I don't know. I do not see no reason why it should have.

Q It was a liability outstanding for the year 1928?

A Yes.

Q You cannot give us any information about that, if it was left off your audit?

A No I cannot. As far as I know the notes were fixed up and that is all I know about it.

THE COMMISSIONER: The notes were signed by the municipal district?

A Yes.

MR. PARLUE: Page 233 Exhibit 14 (reading). Apparently your district was not in too good shape at that time. Have you any explanation why you could vote for this expenditure?

A Yes.

Q What was the cost of it? ... 192000

A I don't remember but I believe first he asked \$7000 for the engine

but eventually they offered to take considerably less.

Q Wasn't it \$10,000 for the outfit?

A No I don't think so, because that would be the price of a new grader.

Q It seems you ought to give some explanation of that.

A Well the district wanted big machinery. That was all the rage in those times - they must have big machinery to do road work.

THE COMMISSIONER: When was that?

MR. PARLER: The 1st of May, 1929.

Q And if you believed all the salesmen told you you could practically build a road for nothing.

Q Perhaps that was the difficulty?

A Perhaps so.

Q That you lent too willing an ear to the salesmen. But nevertheless you were willing to spend several thousands of dollars in the spring of 1929?

A It would not be all spent in that spring but we would incur that liability.

Q At a time when you owed the bank how much money?

A I am not prepared to say. We were considered then in pretty good financial standing.

Q You will notice some other councillors disagree with you?

A Oh yes. They generally do.

Q THE COMMISSIONER: If you were in good financial standing why hadn't you paid for this?

A Well it started to drop off. The collections were poor then.

Q You had a grader you purchased for \$1260 you could not pay for and still you supported buying one that cost anywhere from \$7000 to \$10,000 when you were unable to pay for the \$1200 one.

A Well I thought it was big enough at the time I bought that first and then we went to some of the demonstrations to see what the big one could do. But we found out later that what we had was large enough.

Q And in the light of subsequent events you think differently now?

A Yes, after our experience of last year.

MR. PARLEE: And you have not bought any large machinery since that?

A No.

Q And it appears that your judgment since 1929, it appears since then that your judgment was unsound?

A Yes.

THE COMMISSIONER: Was anybody offering you anything to vote for that?

A No.

Q Do you know of anybody being offered anything to vote for that?

A No.

Q We have had some talks of Goerz being offered \$200 and his friend Mr. Barrie says that Goerz was offered \$200 to vote for buying that kind of machinery?

A Well they were more generous with Mr. Goerz than the rest of us.

MR. PARLEE: Did you ever hear until this investigation that any councillor was offered any benefit or advantage whatsoever?

A No I did not.

Q Were you offered anything?

A No, sir.

Q Any inducement held out to you whatsoever?

A No, sir, none at all.

Q THE COMMISSIONER: By anybody?

A By anybody.

Q MR. PARLEE: Did any salesman or any other person make any suggestion of any advantage or benefit to you?

A There might have been a suggestion but they never offered me anything. They talk a lot, you know. You cannot tell what the suggestion is.

Q I thought you just wavered a moment there. Was there any suggestion made to you?

A No I don't say that there was. I don't think there was any suggestion.

Q Well why did you say there might have been a suggestion?

A As I say, they talk an awful lot.

Q Well what talk. What was the foundation for that remark?

A Well I don't know but we all know how these salesmen are. They say a whole lot more than they should sometimes, but as far as offering us anything direct or indirectly I do not know of it.

Q Never mind the offer but was there any suggestion made to you?

A No I would not say there was.

Q Tell you say now quite clearly and positively that there was no suggestion made to you by any salesman or any advantage or profit to you whatsoever?

A No.

THE COMMISSIONER: They did not say anything to the effect that if you did vote to support it they would make it worth your while?

A No.

Q Were you in the habit of buying your culvert material by the foot?

A We bought them always by the foot although we have bought planking separately, so much per lineal foot.

Q Take a fifteen inch culvert. How long would that be - how many feet?

to haul it

A Well usually I think it is about 24 feet long.

Q And does that mean 15 inches outside or inside measurement?

A Inside measurement.

Q So that would be 72 inches all three inch planks. That would be 126 inches of surfact inch and 24 feet long. That is about 252 feet of lumber surface measured in a culvert. What is that worth a thousand feet?

A Well of course that would have to be three inches thick you know. What I bought the other day I paid \$25 for it.

Q And that would be about a quarter of a thousand surface measure. That would be about \$6 worth of lumber in a culvert. Well now you take six dollars and take \$24, that would mean a man would get \$18 for knocking together 24 feet of culvert?

A Well it would have to be creosoted and nailed and hauled to the place.

Q Well it is already built and creosoted?

A But there would be the price of the nails which is considerable.

Q Does that \$25 per thousand you paid include creosoting?

A Oh no.

Q And what is it worth to creosote it?

A I have never done any until this spring and I do not know how much it has taken to creosote it. The creosote is around a dollar a gallon.

Q You do not buy your lumber already creosoted from the plant do you?

A No, it is too expensive.

Q And then there would be the nails. I suppose he would not be under paid at a dollar a foot would he?

A Well I don't know.

Q How far would he have to haul it to deliver it?

A Well it is quite a job. I know he had three men employed making

culverts one time when I was up there.

Q Three men would make a lot of culverts in a month. But did you ever buy any before made up that way?

A No never did. We used to buy the metal culverts.

Q What do you pay for metal culverts?

A The small ones at that time were I believe \$1.50 or \$1.55. They have them in twelve inch and fifteen inch sizes, and I forget the price.

Q Which is the better?

A I don't know. When you talk to the metal culvert people their's is best and when you talk to the creosote people their's is best.

Q MR. PARLE: I am a little interested in this grader. I suppose I would be correct in suggesting that in December 1928 when you bought that grader from the Richardson Company you thought that was sufficient for your division?

A Yes.

Q And it was heavy enough for the work that was required?

A I thought so at the time, yes.

Q That was a good buy. Now in the spring of 1929 you vote for a heavier grader. Had you in the meantime changed your mind?

A I had because all the talk those days was big machinery, and is yet to a certain extent and of course we figured we had too light a grader.

Q Then the lighter grader, if you purchased the heavier one, the lighter grader would not be used as much?

A Oh no it would not be used as much, certainly not.

Q The heavier grader would to a large extent take the place of these lighter graders?

A Yes.

Q It would not pay to buy this to use it for certain work.

You would have to use it?

A Well I don't know. There is work for that too. There are side roads where you could not get a big rig in.

Q But have you bought a big grader since 1929?

A No.

Q So the lighter graders have done the work?

A I would not say that because we employed a heavier grader last year.

Q Yes to your discomfort sir.

A Yes. Well that is as it may be.

THE COMMISSIONER: It turned out it was not profitable to buy them?

A No I would not be in favor of a big rig now.

Q I suppose it is something on the same principle of the farmers 20 or thirty years ago. They used to buy those heavy threshing outfits for \$7000 or \$8000 and they would be ruined and never get them paid for and lose their farms?

A Yes I suppose the same.

Q And the same principle I suppose would apply to a municipality. They would go in for heavy machinery and pile up a big debt and increase taxes and do not get adequate compensation in return?

A Yes I think that is the case and always will be. I think as time goes on we won't be using any of this equipment in another ten years.

Q And I suppose you, like many others, were just stampeded when these high powered salesmen came around and talked to you about big machinery?

A Well I do not think they had much effect on us.

Q Well they had effect enough to make you vote for it. They could not have much more effect?

A We turned them down many times.

Q MR. BRYAN: It is a fact that Spruce Grove employ the big rigs?

A Yes.

Q They have them themselves?

A Yes and they find them satisfactory. I think it depends on the place you are using it.

Q It is a money saver on open work?

A Yes. In Mr. Howat's division there are some places there - his road north from Carvel towards Onoway, I do not think there is any way you could do it as economically as you could with a big rig.

THE COMMISSIONER: You do not pay much attention to your appropriation. You get your money and you spend it where you like?

A No, I think our work is fairly well laid out.

Q Do you prepare an estimate every year and file it with the council showing exactly where you are going to spend your money?

A Well that is the procedure. I would not say it has always been done.

Q I think Mr. Howat said it is supposed to be done and that was required by the Statute?

A Well I think it was done this year.

Q But I gathered from Mr. Howat it was generally disregarded?

A Yes. And you might go out in the spring and say: "I have no work to do on this piece of road" and you may go out later and find a lot washed out.

Q Well you have a provision for emergency work?

A Well we always tried to keep some for emergency.

Q But you can go to the council and say: "Here a bridge has washed out, I need \$500 to replace that" and get that appropriation?

A Yes but still when it is only a little big or road work or a culvert -

Q Don't you think it would be a good thing if the council performed their duties in strict compliance with the Statute?

A I think they do try to as much as possible but it is not possible always, but I think that is the intention. I think it is the intention of every council.

Q They certainly have seemed more careless about their excess expenditures. I do not blame you any more than anybody else and perhaps yours is pretty low. But you all realize that if you do overexpend you are liable to have an action brought against you for the return of the money to the municipality?

A Yes.

Q And don't you think it would be well for you to try and avoid those chances?

A Yes I do.

Q Because they do not pay you enough money to make you able to take those chances?

A No.

Q And what do you get?

A \$4 a day for inspection work and for attending meetings \$4 and mileage 10¢ a mile.

Q And could you possibly inspect all your work in your district keep a close check on it in fifteen days?

A He could a season like this very easily but last year it was rather hard to do.

Q It depends upon the weather?

A Yes. conditions did

Q I understood Mr. McKinley to say he had a large district and it

was about 80 miles of road and he could not do it?

A Well I do not suppose he could. He has the largest district and the most miles of road.

Q And have you ever made any money yourself out of the purchase of these things?

A No.

Q You have not received any advantage in any way shape or form?

A No.

Q Do you know of any councillor who has, that is of your own knowledge?

A No I do not.

Q And I suppose you found them all pretty honest as far as you were able to judge?

A As far as I was able to say they were all gentlemen except myself perhaps. I would not go that far. I would say they all tried to be gentlemen.

RALPH GOSSET called and sworn, testified as follows, examined by Mr. Bryan:

Q You have lived in this municipality for some time?

A For 20 years I have been here.

Q In whose division?

A Number 1, Mr. McKinley's.

Q I believe you have acted as returning officer at times?

A Yes I was D.R.O. in quite a few of the elections in Inga.

Q In the municipal elections did they send you printed ballots?

A No.

Q What were they like?

A Blank pads of ballots.

Q Is it a form they buy or supply by some supply house?

A I don't know. They are printed by some stationer in Edmonton.

Q But in any event you have never been supplied with ones with the names on?

A No.

Q I think you were returning officer in the municipal election of 1929?

A Yes.

Q And you were not returning officer in 1931?

A No.

Q Tell the Court why you were not?

A In 1929 there was a pretty close run between the two candidates and there was some little mistakes made by me perhaps in regard to voting and after the election was over there was quite a bit of kicking about the result and I thought the best thing I could do would be to resign my position as D.R.O. and I went to Duffield and saw Mr. Pest and told him I had finished with being in the chair at any elections at all.

Q Had there been trouble at any of these previous elections?

A Oh yes there is a certain amount of kicking at any election.

Q But more at that last one?

A Yes oh yes there was more.

Q And did you speak to the candidates about it?

A After the election was over I spoke to both the candidates.

MR. PARLIS: What election was this?

A 1929. I called both candidates up to the platform and told them that certain irregularities had taken place that I knew of and would they agree to stand by the result as the ballots were counted and they both said they would and so we counted the

ballots and McKinley got in by seven or eight votes.

Q And after that the trouble started?

A Then after that the show started.

Q And you said you would not get into it again?

A I said I had had enough.

Q What were the irregularities?

A Well it was my fault to start with. There was a renter's wife voted and I let her vote and then there was some more came up and I had to let them all vote and then some were voting who were under age.

Q Did you allow anybody to vote who was challenged?

A Anybody challenged was sworn and they voted.

Q With regard to this district. You have been here for 20 years and have known it pretty well. How have you found things in the district?

A Well I have got no complaints.

Q Have you found things dealt with fairly by the council?

A I have always been treated all right as far as I am concerned. I have done my work and that is the end of it.

Q How about other people? Have you heard of any discrimination?

A I have heard lots of hearsay, and it may be enlarged upon.

Q Do you know it has been enlarged upon?

A Well I have seen nothing at all I would lay a complaint about.

Q What about the condition of the roads?

A Well I wish they would grade the road in front of my house a little more. That is all I have got to say.

Q The general condition of the roads in the division?

A The roads are all right but we have had bad weather lately and it is kind of rough. That these horses

Q But what condition are the roads kept in?

Q As well as they could be under the circumstances.

Q Is Mr. Aronson a good foreman?

A Yes he is a straight good foreman.

Q Does he build good roads?

A I believe he builds them as well as they can be built.

THE COMMISSIONER: Have you been here all through the inquiry?

A No I have been here some days.

Q You have heard of a good many irregularities?

A Yes.

Q And do you think that would justify the electors as a whole in becoming dissatisfied and suspicious and desirous of having things cleaned up?

A No, sir. I think the whole trouble arises from parties on the losing side getting together and laying these complaints most of which are not fully justified, - people who work for the candidate who loses and they want to get the council out who is in.

Q Do you think any councillor has any right to sign a payroll and put another man's name on it?

A No.

Q Or to cross out a man's name and put another in?

A No.

Q And if he finds that a man has been paid twice for his job, to make out another time sheet and let the cheque stand out and not collect it in?

A No, certainly not.

Q You have heard of a great many of these irregularities?

A Yes.

Q Do you mean to tell me that those irregularities coming to the ears of the public, that they would not be justified in becoming

dissatisfied and discontented and requiring an investigation into the true state of affairs?

A They should be investigated.

Q But you will agree that a lot of these things if they were taken up with the council or the councillor ^{or} the secretary treasurer might be straightened out?

A I believe so.

Q And possibly you are a great believer in democratic government. And the people have it in their own hands as to the class of men they elect to the council?

A Yes, and the councillor elected should satisfy the people.

Q And if they do not the people have the remedy at the next election to elect somebody else?

A Yes.

GEORGE SCOTT called and sworn, testified as follows, examined by Mr. Bryan:

Q You worked on the road under Mr. Aronson?

A Yes.

Q Whose horses did you drive?

A Mr. Aronson's.

Q And did you receive your pay for that?

A Yes.

Q For how long did you drive them?

A I don't know but I believe it was about a month. I could not say for sure. I think I started about the first week in July and finished the first week in August.

Q What year would that be?

A 1929 I think.

THE COMMISSIONER: Whose name was on the payroll, yours or Aronson's?

A My name for my work. The other was for Aronson's horses.

Q MR. BRYAN: The horses were in the name of Aronson?

A Yes.

Q And the labor in your name?

A Yes.

MR. PARLER: What is the purport of this?

MR. BRYAN: Because Mr. Aronson made statements about people driving.

I heard him quite audibly say these had not been driven, and I want to show in fairness to Mr. Aronson that he did not drive them but others drove them. That was heard here and I heard it myself.

MR. PARLER: What was this, July and August, of what year?

A 1929.

Q Aronson was your foreman, was he?

A Yes.

Q Now in Exhibit 12 sheet 2 that is for July 1929 and the second sheet, there are four horses.

THE COMMISSIONER: How much an hour?

A Fifty cents for the horses.

Q MR. PARLER: George Scott is a laborer (reading). How much did you drive the horses in July?

A I do not know how long.

Q Well approximately how much?

A I believe I started to work on either the second or third and drove them every day it was fit to drive them during the month of July.

Q In July apparently you start on the second and you work right straight through to the end of the month?

A I think so every day that it was fit to work.

Q And did you drive the horses all the time you were there?

A Yes.

Q How many horses did you drive?

A Four.

Q What else did you do during the month of July except to drive horses?

A Nothing.

Q Did you drive Aronson's horses every day you worked?

A Yes.

Q How many?

A Four.

Q The reason I mention that is because Exhibit 12 "1T" according to that you worked 23 days in the month of July 1929. And the horses are charged for at 12 days. Perhaps you ought to explain to the Commissioner how that comes about?

A I do not know what you mean.

Q Well the four horses are put in for 12 days during July and yet you appear to be working 23 days.

A I was. It was 23 or 24 days.

Q But the horses are only charged for 12 days.

THE COMMISSIONER: And you were doing nothing but driving Aronson's horses?

A I drove Aronson's horses every day I worked on the road.

MR. PARLEE: You got a cheque for \$75.25?

A I am not certain. It was somewhere near that.

Q And did you keep the money yourself?

A Yes.

Q No part went to Aronson?

A No there was absolutely no part went to Aronson.

Q You have no explanation to make?

A I have no explanation.

THE COMMISSIONER: Evidently Aronson did not get paid for his horses for eleven days.

ROBERT WOODLEY called and sworn, testified as follows, examined by Mr. Bryan:

Q You worked on the road under Mr. Aronson?

A Yes.

Q And what work did you do?

A Driving the fresno.

Q With your horses or his?

A Two of mine and two of his.

Q And what arrangements were made with regard to payment?

A Well I took his team and drove it under the impression that what he made from my driving the team went on his taxes and what I made went on his taxes.

Q And was that arrangement carried out?

A Yes.

Q And when was this that you worked?

A November 6th, 7th and 8th. That is for myself.

Q How do you mean for yourself?

A On the 10th, 11th and 12th I drove the same outfit and my two horses and myself went on my father's taxes.

Q Instead of splitting it up you drove three days for yourself and three days for Mr. Aronson. Is that it?

There was enough on the third day for my father for \$1.50, something like a couple of hours.

Q You had two horses of your own?

A Yes.

Q And you attached them with two of Mr. Aronson's?

A Yes, to make up a four horse team.

Q MR. PARLEE: Where do you live?

A Holborn.

Q Near the ferry?

A Within two miles.

Q And what ^{is} your father's name?

A H.J.

Q Mr. Coggles saw you, did he?

A Yes.

Q And did you produce that book to him, the records you have there?

A I have just a slip from Mr. Aronson.

Q Where did you get that?

A From Mr. Aronson.

Q When?

A Last Fall when the work was done.

Q R.V. Woodley. Is that your name?

A Yes.

Q You got paid for a man and two horses?

A Yes on my taxes.

Q And at the same time you drove two horses for Mr. Aronson?

A Yes.

Q That would be the 6th, 7th and 8th?

THE COMMISSIONER: 10th, 11th and 12th?

A Yes.

Q That would be in accordance with Exhibit 13 "lu".

And we have M.Aronson man and four horses on 11th, 12th and 13th. That is in accordance with "1V", and we have R.Aronson down for four horses and man on the 4th, 5th, 6th, 7th, 8th, 10th, 11th, and 12th. Now I don't know that I follow that. How many horses did Mr.Aronson have on the work?

A Just two that I know of.

Q And *yet* we find R.Aronson down on the same dates that you mentioned, 6th, 7th and 8th with a man and four horses at the rate of .85¢ an hour?

A I do not know anything about that.

Q What you know of is this, that you drove four horses two of which are your own and you charged for?

A Yes.

Q And there are two more of Mr.Aronson's which you drove?

A Yes.

Q And which he would get paid direct for?

A Or on his taxes.

Q Well you did not get it anyway?

A No.

Q Did you know that these horses were going under the name of Ralph Aronson?

A I heard some rumors.

Q At the time?

A No I could not say at the time.

Q And then the other dates you give are 10th, 11th and 12th?

A I think so if this is the last date.

Q And that would be in November?

A Yes.

Q And I find in November 1930 M.Aronson down for a man and four horses and on the 11th, 12th and 13th. Did your father drive

any horses for Aronson?

A No.

Q Did you drive on the 10th, 11th and 12th?

A Yes.

Q Did you drive any of Mr. Aronson's horses then?

A Two of them and two of my own.

Q And that would go to whom?

A It was to go on my father's taxes as freeze-up was getting close.

Q And H.J. Woodley, that is your father?

A Yes.

Q He is given on exhibit 13 "lu" 10th, 11th and 12th. Did you work all the 12th?

A No. I worked long enough.

Q Well it is two hours?

A \$1.20; .60¢ for myself and the two horses.

Q So we have H.J. Woodley man and two horses working on the 10th eight hours, the 11th 8 hours, and the 12th two hours. That is correct?

A Yes.

Q And that work was done by you. Your father did not do it?

A No I did it myself.

Q And M. Aronson is down for a man with four horses on the 11th, 12th and 13th of the same month?

A Well I don't know anything about that.

Q And I think we are entitled to get Mr. Aronson here.

A As far as I am concerned -

THE COMMISSIONER: Were there other teams working there those days with you?

A Yes several.

1938, the last part of October.

MR. PARLEE: How many horses did Aronson have there?

A Two as far as I know and I was driving them.

Q THE COMMISSIONER: Would you know Aronson's horses?

A Absolutely.

Q And did you see them there those days?

A Those two I drove I did.

Q But the 11th, 12th and 13th, any others?

A Not that I know of.

MR. PARLEE: How far away do you live from Melcher Aronson?

A Well I could fling a stone at his house.

Q So you know his horses fairly well?

A Yes.

Q So both periods when you worked for yourself and for your father, were any other of Aronson's horses there except that pair?

A Just them two that I drove myself.

OKE ANDERSON called and sworn testified as follows, examined by Mr. Bryan:-

Q You live in Division 1?

A Yes.

Q And you have worked under Mr. Aronson?

A Yes.

Q Do you drive his horses?

A Yes.

Q When?

A In October 1930, the last part of October.

Q For how long?

A About a week I think. I am not sure.

Q Do you remember the dates?

A No I do not.

Q You don't know what dates they were?

A No.

Q What happened to the pay. What arrangements were made?

A I was paid for my work.

THE COMMISSIONER: Had you any horses of your own?

A One team.

Q And where did you get the other team?

A Mr. Aronson.

Q Driven on a grader?

A A fresno.

Q MR. PARLEE: October?

A Yes, the last part of October.

Q Did Mr. Coggles interview you?

A No.

Q Mr. Coggles did not interview you at all?

A No.

Q How many days did you drive?

A About 6 or 8 days. I don't know for sure.

Q And what was the arrangement about money?

A I got paid for my team and my work.

Q To whom did the cheque come for the whole of it. Did you get a cheque for your share?

A Yes.

Q Did you give any money to Mr. Aronson?

A No.

Q Whatever money you got you kept? YC

A Yes.

Q And you got paid for yourself and two horses?

A Yes.

Q How many days?

A About six days.

Q Do you know the amount you received?

A No I don't remember how much it was.

Q Did you only have one team yourself?

A Yes.

Q And the whole six days did you drive Mr. Aronson's horses too?

A I think so.

Q Now be quite sure. It is not so long ago?

A Yes I think I did.

Q Do you know or do you not know?

A I can't say for sure.

Q I observe Oke Anderson man and two horses. Who is Otis Wodel?

27th, 28th, 29th and 30th - is that the days you worked?

A I don't remember.

Q You got \$16. And did you get one or two cheques?

A I could not say.

Q And I see you on the 22nd, 23rd and 24th \$20.40. Did you receive that?

A Yes.

Q Did you give any part to Mr. Aronson?

A No.

Q Man and four horses 22nd, 23rd, 24th. Did you get the money yourself?

A Yes.

Q That is "1d" exhibit 13. Why did you put it in "man and four horses" and "man and two horses"? I suppose that is explainable.

Q's EXHIBIT 13. first page is v

Why is it put in that way?

A I do not know.

THE COMMISSIONER: On the first period were you driving four horses when you were credited with two?

MR. PARLINE: That is your signature here, Oke Anderson?

A Yes.

Q And you will observe you work a man and four horses on the 22nd, 23rd and 24th?

A Yes.

Q And on the 25th, 27th, 28th and 30th it is a man and two horses. Did you get both of those sums set opposite your name and you kept them?

A I got it for myself.

Q Did you drive those two horses for Melcher Aronson on the 22nd, 23rd and 24th. Why didn't you pay him something

A Was not supposed to.

Q Can you explain why it is you are down here for three days with four horses and two of the horses being for Melcher Aronson and you keep the money yourself? Have you any explanation?

A No. I don't remember.

THE COMMISSIONER: At any of that time did you drive less than four horses?

A No I did not.

MR. PARLINE: Did you see any other of Aronson's teams there at the time you were driving his pair? Do you know them if you see them?

A Yes.

Q Were there any other of his teams there at the time you were driving his pair?

A No.

MR. BRYAN: Your first name is what?

A Oke.

Q And is there another Anderson?

A There is Ole.

Q And does Mr. Ringsby live with you?

A Yes.

Q And did he drive Mr. Aronson's horses?

A Yes.

THE COMMISSIONER: Are there two horses on that time sheet for Aronson?

A MR. PARLEE: I cannot see it.

THE COMMISSIONER: This man says he drove a team every day he worked there. That would be the 22nd, 23rd, 24th, 25th, 26th, 27th, and 30th.

MR. PARLEE: He drives -

THE COMMISSIONER: You worked there those dates?

A Yes.

Q Did you drive on each of those dates a team of Melcher Aronson's?

A Yes.

Q Along with a team of your own?

A Yes.

Q And the records show that you drove Aronson's three days, the 22nd, 23rd and 24th only?

A I don't remember. I had it down but I don't remember how it was exactly.

Q But you have sworn to it pretty positively.

AUGUST BURGER called and sworn testified as follows,
examined by Mr. Bryan:-

Q Where do you live?

A In Holborn.

Q You were running against McKinley at one time?

A Yes, in 1923.

Q How was the election there?

A Well the election was pretty well one-sided.

Q You were on the wrong side?

A Yes.

THE COMMISSIONER: What was McKinley's majority?

A Pretty nearly two to one.

Q And how many votes cast?

A McKinley had 82 and I had 44.

Q Well his majority has been cut down every year now?

A Well that is the first time we both ran.

Q And was there any trouble after the election?

A Well there seems to be trouble after an election every time.

Q Did you find any trouble after that?

A I did not have a complaint at my election because I think Mr. McKinley acted as square as anybody could act.

Q And yours is one of these elections which seems to have caused no trouble?

A No.

Q There was a suggestion made by one of the witnesses that McKinley had offered an inducement to one Zutz. You were with Mr. McKinley that day I believe?

A Yes, and we met Mr. Zutz right at his house.

Q Was there any offer made?

A No. Mr. McKinley came to my place and wanted to know if I would go and act as interpreter to a certain family that had just come from the Old Country and I told him I would. Then we got as far as Mr. ZutŹ' place and we found out through Mr. ZutŹ that these parties were not at home, that they had gone to a certain place to saw lumber and I think we talked to Mr. ZutŹ maybe five minutes as near as I can guess.

Q And was there anything said about any inducement to vote or anything else?

A No not whatever.

Q Now then you came down by Holborn?

A Yes.

Q And a lot of the trouble seems to have come from that district down there?

A Yes it seems that way. It seems to come from there.

Q And do you know the cause of it?

A Well it is one group against the other.

Q The community down there is split?

A Yes it is split as badly as it could be split.

Q And you are kind of right in amongst the bunch?

A Yes.

GEORGE LIEBLERT called and sworn, testified as follows, examined by Mr. Bryan:-

Q Did you see this work that was done by Mr. Stevens down by his place?

A When?

Q That would be in Exhibit 12 "IX". You saw that work done down there?

A I saw that work but I could not say if it was in October.

Q Filling in a low place?

A Yes. I know when Mr. Feldheit was buried they stopped at the side of the road, I know.

Q How much work was done there?

A Not a great lot.

Q Was there \$60 worth of work done?

A I would not think so.

Q Did you ever pass there during the continuance of that work?

A I passed there two or three times.

Q Did you see two or three men on the job?

A I see one man once and I saw another man another time but they were not working when I saw them.

Q And that was the time when this work was supposed to have been done?

A Yes.

Q And that was right near your place?

A Yes between Levi's house, a little east.

Q And you say there was not \$60 worth of work put in there?

A I would not think so.

Q And you say you passed by there when?

A When they were supposed to be working.

THE COMMISSIONER: Were you there all the time they were supposed to be working?

A No.

Q Do you know how many men worked?

A No.

Q Do you know what work was done?

A Well I know a little low place east of the house.

Q How many cubic yards of earth were moved?

A I don't know.

Q How much ploughing?

A I could not say.

Q Any grader used?

A For everything a fresno was used.

Q You don't know much about it?

A That is all I know.

MR. BRYAN: What time of day would you be passing there?

A I passed there during the evening one time.

Q Did you pass there during working hours?

A Yes.

Q Were these men on the job?

A Well I see Levi and one of the men working for him and one of the Herschell boys.

Q And Mr. Stevens was not there?

A No.

THE COMMISSIONER: What do you propose to prove by this witness?

MR. BRYAN: That when these men were working there it was not a fact. Those men were not there all the time and there was no foreman on the job.

THE COMMISSIONER: How far do you live from where the work was done?

A I live on the northeast of 26 and he has one farm east of me and one north of that.

Q And how far from this work do you live?

A Well all the work would be inside of a mile and a half.

Q Do you remember the dates on which the work was done?

A No.

Q Were you there all the time?

A No I was not.

Q How often were you there while they were supposed to be working?

A I went two trips the day of the funeral. There was a gentleman died there and I went twice that day.

Q Did you see anybody there then?

A Yes I saw three men there.

Q Working?

A No, sir.

Q What were they doing?

A They were standing on the side of the road.

Q Resting on their shovels?

A No, watching for people to pass.

Q Well would not that be quite a proper thing for the people to do, to wait for the funeral to pass?

A Yes.

Q And they could not work very well then?

A No.

Q And how many other times did you visit?

A Well I could not tell you. I might have been coming to Stony Plain

Q Was it night or daytime?

A No, daytime.

Q And was he there working?

A He was around the horses but he was not working.

Q What horses had he?

A He had four horses on a fresno.

Q And were they hitched up to it?

A I could not see whether the tugs were hitched or not.

Q Were the horses standing in front of the fresno?

A Yes.

Q In a position in which you might imagine the tugs were hooked?

A Yes.

Q Have you ever seen a man working on the road standing around a fresno that the horses were not dragging and the fresno was not in action and still be honestly there. Have you? There might be some reason for it.

A Sure.

Q MR. BRYAN: There was no other man in evidence there?

A I could not say whether there was any man with him.

Q But was there any other man on the road working?

A No.

Q Just one man by himself?

THE COMMISSIONER: You do not know much about this?

A I know there was not much work done.

Q Do you think that a man who certifies his own time sheet would know as much about this as you do when you were not there?

MR. BRYAN: The point I was trying to bring out is there was some justification for the councillor checking up and seeing if this was done.

THE COMMISSIONER: That would be a good line in the case of a man who is scrupulous to the extreme. But when you have a man who signs pay sheets when nothing at all was done I am not going to pay much attention to this class of evidence. I can hardly accept the view that a man exercises such meticulous care over one tax payer, who will alter and sign payrolls and things like that.

CHRIS FITZLER called and sworn, testified as follows
examined by Mr. Bryan:-

Q You are a resident of this Division 1?

A Yes.

Q And you know considerable about this investigation?

A Yes, sir.

Q You are one of the committee of three?

A Yes.

Q THE COMMISSIONER: What committee is that?

MR. BRYAN: Who are they?

A Mr. McDonald, Mr. Propp and myself.

Q And where was that committee appointed?

A We were told by Mr. Heid we should cut our number down to a smaller class and we would not bring 25 and 30 or 32 in there and he said: "Can't a few of you come in and if you could chose a few men to take the matter up."

Q That was the committee?

A Yes.

Q I am not asking you this to try and go after you. I want to get for his Lordship the full history of the thing. You were called a couple of times yesterday but you were not here.

MR. PARLER: I do not want to interfere with my friend at all but your Lordship was called to make a certain inquiry and if Mr.

Fitzler can give evidence, well and good, but to ask him why -

THE COMMISSIONER: Well I will hear what he is going to say.

MR. BRYAN: You have been in this district for some time?

A Yes.

Q And I think at one time you applied for the position of Secretary

treasurer?

A Yes, sir, in 1923.

Q How long have you lived there?

A Since 1918.

Q What division?

A Division 1; on the request of Mr. McKinley.

Q And you drove up to Carvel with Mr. McKinley?

A No I drove up alone. Mr. McKinley stopped me another time in Stony Plain and stated there will be a council meeting in a few days, and I did not want these town people to have the job, I would rather have a ratepayer.

Q Mr. McKinley was sponsoring you for the position of secretary treasurer?

A Yes.

Q You have known him for a long time?

A Yes.

Q Lived near him?

A Yes.

Q You have done more or less business with him?

A Very little business.

Q But you have known him pretty well?

A Yes.

Q And belong to the same lodge?

A Yes.

Q And you have had dealings with him, and how have you found him?

A I have only had small matters of business but I have never bought or sold.

Q But in the general course of business you have had lots of dealings with him?

(No answer).

Q THE COMMISSIONER: Have you had business dealings with Mr. McKinley from 1918 to the present time?

A Not to the best of my knowledge, nothing of importance that stands out in my mind today.

Q MR. BRYAN: And in 1927 when you first ran as councillor against Mr. McKinley, the outcome of that election was Mr. McKinley was elected?

A Yes.

Q And were there any complaints after that election?

A Not so you would notice it.

Q Did you ever take the matter up with the Department?

A No, sir.

Q Did you ever dispute the election at all?

A No.

Q Take any steps at all?

A No, sir,

Q What was the vote at that election?

A Two to one.

Q And do you remember the votes polled?

A No I do not, exactly.

Q And two years elapsed and you ran against Mr. McKinley again?

A Yes, sir.

Q And you were again defeated?

A Yes.

Q And after that election?

Q THE COMMISSIONER: How was the vote?

A It was a tie I think, about six votes different.

Q MR. BRYAN: And was there any criticism?

A There was criticisms and disputes and objections.

Q Did you take steps to upset the election?

A No. I was called in to take part but there were other parties took the steps.

Q And did you take it up with the Department?

A No, sir.

Q And it was after that election that things started to -

THE COMMISSIONER: Was the election protested?

A Mr. Shaw and Mr. Stevens and Mr. Propp and a few others interviewed me about coming in with them to take steps to contest the result of the election and I for certain reasons said I would not as a defeated candidate and I was called in afterwards to Mr. Bryan's office and they wanted something from me.

Q Did they protest the election?

A No, sir.

Q MR. BRYAN: Do you know the reason?

A I do not know all the reasons.

Q What was the main one?

MR. PARLEE: I do not know if your Lordship should hear all this.

MR. BRYAN: After that there were a number of small disputes beginning to arise?

A There were disputes after that. They gathered magnitude.

Q And you went in to the Department about them at various times after the election?

A Yes.

Q When was the first time you went to the Department about the minor disputes and things like this.

A This last winter some time.

Q Were you ever in before this winter?

A No, nothing with regard to anything of the administration, not

to the best of my knowledge. I have been in lots of times but I cannot recall mentioning municipal affairs of Inga.

Q Now after that when the next election came you were a supporter of Mr. Propp's?

A Yes.

Q And you supported Mr. Propp and that election went against Mr. Propp again?

A Yes, sir.

Q In your opinion was there anything wrong with that election other than the same irregularities?

A To all appearances there was names on the time sheet that had no right to be there - that is on the voter's list.

Q But at the present time that has been all dealt with?

A Some voted that should not.

Q Can you tell us any one or more persons who voted who should not have? Nearly all the evidence is the other way. Enders Jr., would be one.

A I believe the evidence has been prepared to you also in regard ~~xx~~ to Enders Jr., and I think we will let it abide with you. I have nothing more to add to the conditions of his qualifications.

Q What do you mean by prepared?

A "presented" to you.

THE COMMISSIONER: If you can establish to my satisfaction that evidence in regard to Enders Jr., or anybody else - false evidence has been prepared and submitted here and you make out a reasonable case I will see the parties are prosecuted for perjury.

MR. PARLIN: I think he meant the other way around.

THE COMMISSIONER: You do not mean they came here -

A No.

Q After hearing that evidence would not you conclude that Enders was entitled to vote?

A Well your Lordship it is a direct question and you put me as a judge. I would certainly take the man's word.

Q I suppose you think you are justified in raising some question in regard to the legality of their vote?

A Yes. I still believe if a man like Phillip Althein is on the list and he is not entitled to vote it is not Althein's fault but the man who puts the name there and as far as the general workings of the election, I believe there is room for complaint there.

Q There is no doubt about that. But do you suggest that Mr. Scott was dishonest?

A No, sir.

Q But you think he is very careless. I agree with that too.

MR. BRYAN: Before the 1929 election you had had some communication with the Department with regard to Mr. Pidgeon being dismissed?

A Yes.

Q Had you gone in to see them?

A I had been in several times to have an interview.

Q Why didn't you tell me that. I asked you when you saw them the first time in regard to trouble in this district and you said this Fall. Now you were there in 1929 about it?

MR. PARLEE: Your question was the administration of the district. And I think Mr. Fitzler answered it very properly.

MR. BRYAN: Was it in regard to the administration of the district you went in there in 1929?

A No, about the election.

Q But before the election?

A Yes before I was ever candidate I was going to get information as

regards voters and who was entitled to vote because there had been so many irregularities in the other election that I was going to get better posted.

Q But weren't you in there complaining about the office of secretary?

A No.

Q Did you know at that time there was any investigation by anybody?

A I had heard it.

Q And you never spoke to them at all?

A I don't recall what was spoken of. Mr. Washburn was with me and did the speaking.

Q Didn't you go to certain people during that election and tell them you had a letter from the department?

A Not from the Department. I had a letter.

Q Who was it from?

A I do not recollect.

Q What was the tenor of the letter?

A What do you mean?

Q Well what did it say?

A I do not recollect everything in the letter. It mostly centred around the secretary treasurer's office.

Q And who was the letter from?

A I don't remember.

Q Didn't you go to certain people and tell them that you had a letter to the effect that Mr. McKinley and Mr. Pidgeon were going to be dismissed?

A No, sir, I did not.

Q And it was no use voting for Mr. McKinley?

A No, sir.

Q You never said that to anybody?

A Not about Mr. McKinley being dismissed.

Q Did you say anything about Mr. Pidgeon?

A I said there were steps afoot in the Department to have something done about his dismissal.

Q And did you say anything about councillors going to be fired?

A No.

Q You never used that as a method to ask people to vote?

A No.

Q Did you say anything about it to Mr. and Mrs. McKinley?

A I don't think I saw them that year.

MR. PARLEE: Well is not this -

THE COMMISSIONER: I am not determining anything between Mr. Pitzler and Mr. McKinley.

Have you any complaints against McKinley as councillor other than what have been disclosed here by independent witnesses.

A No, sir, no complaints as far as his personal character, moral conduct or business conduct. I may say I had a difference with him in regard to municipal affairs.

Q And you have heard evidence here and I suppose you think those things are not right?

A And also at the time I thought.

Q Have you anything more to add?

A No, not in a nature to involve myself in this inquiry.

Q And were you any party to the manufacture of any of this evidence?

A I do not understand.

Q The evidence you have heard here for the last ten days?

A I would not say manufactured but I certainly took part in seeing

Q You never said that to anybody?

A Not about Mr. McKinley's death, Elizabeth.

Q Did you say anything about it? Did you

A I said there were steps about in

thing done about his death.

Q And did you say anything about

A No.

Q You never used that as an

A No.

Q Did you say anything about it

A I don't think I saw the man.

MR. PARKER: Well is not this -

THE COMMISSIONER: I am not repeating

Pittier and Mr. McKinley.

Have you any complaints?

Then what have been discussed?

A No sir, no complaints.

contact or business contact. I

with him in regard to municipal affairs.

Q And you have heard evidence here I suppose to show that

things are not right?

A And also at the time I thought.

Have you anything more to add?

A No, not in a nature to involve myself in this inquiry.

And were you any party to the manufacture of any of this

Q For the last few days?

A I haven't been too busy in selling

the evidence would be presented to your Lordship.

W Well you have a perfect right to do that the same as any tax payer.

MR. BRYAN: Well, if your Lordship does not wish me to go into these things -

THE COMMISSIONER: I am not interested in any fight between Mr. Pitzler and Mr. McKinley. It might affect the evidence of Pitzler in regard to his motive as against McKinley but he says he has nothing to add to what has been given here by all the other witnesses.

Q MR. BRYAN: That is quite true. He has not given evidence himself but there have been a lot of things that have come up and your Lordship wishes to get to the bottom of this trouble.

THE COMMISSIONER: Have you any doubt that this investigation has disclosed ample justification for dissatisfaction by the tax payers of the Municipal District of Inga?

MR. BRYAN: I think you are quite right there.

THE COMMISSIONER: I think this investigation is a good thing to get the atmosphere cleared up, and Mr. Pitzler is a tax payer.

He may have felt a little sore after the first election where he was beaten nearly two to one and perhaps a little proud in the next one where he only beat him by six, but I won't go into that.

Do you think that Mr. McKinley, concerning all these irregularities of which evidence has been given, was dishonest personally?

That is were the irregularities brought about or were the acts committed for his own personal advantage?

A My Lord, I do not believe that Mr. McKinley intended to feather his own nest. I would only go so far as to say it was gross carelessness in dealing with the administration or the fulfillment

of what the Act requires.

Q Just in regard to the expenditures and the pay sheets and things like that. But you do not suggest that Mr. McKinley in so far as those irregularities are concerned that they were committed for the purpose of him illegally enriching himself personally?

A No, sir.

Q And that he did a good many things perhaps out of the largeness of his heart?

A Yes but it has cost us some money for his good heartedness and it is time it was stopped.

MR. BRYAN: Do you think it has cost the district much money?

A It is very difficult to put a figure on the actual cash lost. If we want to go back to the White case, which is more or less carelessness -

Q Well that is a thing of the old council. I am just dealing with Mr. McKinley.

A I do not think his faults or irregularities have cost us any great extent of money but I could not say how much.

Q You do not think they have cost any great amount?

MR. PARLEE: I do not think he should be asked to answer that question.

THE COMMISSIONER: He cannot estimate.

A I cannot estimate.

Q MR. BRYAN: You have been at the annual meetings?

A Yes.

Q And have complaints been made at these meetings?

A A few.

Q Did you bring up any complaints?

A I have.

Q Many? none at all as far as I know.

of what the act requires.

Q Just in regard to the expenditures in

like that. But you do.

those irregularities are connected with

the purpose of him ill

A No, sir.

Q And that he did, would

of his heart?

A Yes but it is a case

it is time it was stopped

MR. BRYAN: Do you think

A It is very difficult to

if we want to a book

carelessness -

Q Well that is a plain

with Mr. McKinley.

A I do not think this is

great extent of money but a small part

Q You do not think they

MR. PARSONS: I do not think

question.

THE COMMISSIONER: He cannot

A I cannot estimate.

Q MR. BRYAN: You have been at the annual meetings?

Q I have not attended many annual meetings. I was at the last one.

Q Were there complaints came up there?

A Yes.

Q Many?

A I don't remember. I know I put a motion myself.

Q What was the motion?

A In regard to the audit, that it should be looked into. The councillors themselves said it was incorrect.

Q And any other complaints?

A I don't remember them all.

Q A lot of these things that have come out here were known?

A They more or less come to light within the last few months.

Q But you knew of a great number of them?

A No.

Q But you had gone into the Department during the winter about various things?

A After the election. That is the first time.

Q But were you never in before the election?

A No, sir, not to my knowledge.

Q And you did not know of any of these irregularities?

A I knew this and things were forming year to year.

Q Did you ask the councillors about these things at the annual meeting?

A I would not bring it up unless I had a complaint myself.

Q But why not enquire about them and say "I have heard this, what about it?" wouldn't it be fair to do that?

A The people were there who had the complaints.

THE COMMISSIONER: Don't you think that if all these matters had been brought to the attention of the councillor for the division or the council as a whole that a great many of the difficulties

would have been ironed out and straightened out?

A Difficulties in so far as road work and differences between foremen about road work, a lot of difficulty could have been avoided if these men had attended to their business and done 50-50 in meeting the council and secretary. But as far as the outstanding evidence that was brought out at this investigation, my personal opinion is it would have done very little good to have gone to the council.

Q But don't you think when you have a democratic form of government you ought to give them a chance first and if they refuse then take some other action?

A Yes.

Q It is pretty hard to get a perfect council and tax payers?

A There are certain things we can resort to the family medicine chest for but after that we have to get a good doctor.

Q Your idea is that there was such an accumulation of things that you thought they must be taken up and straightened out before you got any harmony or concentrated action on the part of the people of this district?

A That was our assumption and we will leave that to your decision.

Q Do you know of anything that was brought to the attention of the council?

MR. PARLEE: My Lord. What has that got to do with this inquiry?

THE COMMISSIONER: We have threshed that all out pretty well and I do not think Mr. Pitzler has brought these things to the attention of the council any more than anybody else. Don't you think you have the unanimous view of all ratepayers and councillors that it would be in the best interests of the whole of the municipal district if these grievances, the minute they are heard of, were

would have been found

A Difficulties in

men about road

if there was a

meeting the council

evidence that a

opinion is it

is correct.

But don't you

you ought to give

take a more

A Yes.

It is pretty

A There are certain

ghost for but

Your idea

You think

Got any but

of this kind

A That was

Do you know

correct?

MR. PARKER: Yes, I think

is well

o not a link but it is a

o the view of all

would be in the

the figure

referred to the councillor or the secretary treasurer or the council as a whole? Mr. Pitzler does not differ with that?

- A The main grievance that I had as far back as I can remember, even the irregularities of the election, the gross expenditure of monies and such like which may not be of much good to bring up even before a council as a body - I am not excusing myself, saying they would not do some good, but the most of us felt it was time to go to a little higher authority to have the air cleared and when we found the evidence was what it was we felt justified in the investigation.

THE COMMISSIONER: I suppose you felt justified that in so far as the election is concerned you have the "Controverted Election Act?"

- A Yes.

- A And you can always get redress in the Courts. And in regard to the overexpenditures of monies that the Act provides that these councillors who have over expended are liable to repay and also liable to penalty. The Government does all it possibly can to provide machinery for the tax payers of a municipality to protect themselves and protect their own interests and I believe they desire to give you as full a measure of self government as possible.

- A Yes, sir.

- A And with regard to those two difficulties I think you have the machinery in your own hands.

(No answer).

... 1902
referred to the same in
council as a whole in 1911
The main grievance was
even the irregularities
of routes and
up even before 1900
saying they would
it was a time to go to
cleared and when it
justified in the present
THE COMMISSIONER
as the election is necessary
Act?

A.
Q. And you can always get a
the overexpenditure of
councillors who have over
liable to penalty, in
provide machinery to
themselves and
desire to give you as
liable.

A. Yes, sir.
Q. And with regard to the
machinery in your own hands.

MURDOCK McKINLEY recalled.

Q MR. BRYAN: As you have been here through all this investigation you know there are a lot of complaints against you for laxity of methods especially in regard to road sheets, and I do not think we are going to try to disprove that at all. There are only one or two points I want to bring out in Mr. McKinley's favor and as far as the rest goes I think Mr. McKinley will agree with me that he will take the blame for it.

Did you ever receive any monies yourself for road work or any other work to which you were not entitled?

A No.

Q There has been some question brought up with regard to over-expenditures. How has your division stood?

A Well I think favourably well.

Q Do you know what you have overspent?

A I think since I have been on the council if the whole thing was added up it has not been \$1000 for the whole eight years, and last year I think was about \$300.00.

Q How much do you approximately spend on roads each year in your division?

A In 1929 \$8,300 was my appropriation.

Q How did that compare with the other divisions?

A Well it must be one third of the whole municipality.

Q That approximately doubled the other?

A Well not far from it.

Q And as a result you have a lot more roads than anyone else to look after?

A Yes I think so.

Q. MR. BROWN:

You know Brown?

Method: specific

We are old

or two points

for as a

he will say

A. No:

added to it

Last year

How much is it?

division?

A. In 1955, 1956 and

✓ How did that compare

A. Well it must be one thing

✓ That approximately doubled it

A. Well not for that.

Q. And as a result of that?

Q And I suppose that keeps you pretty busy checking up?

A Yes.

Q Now with regard to Mr.H.J.McDonald. Do you remember when that sheet was made or where?

A Well it was in the early part of the summer I believe.

Where were you?

A At McDonald's house.

Q And did you make out the time sheet?

A Yes I made it out.

Q And he signed it?

A Yes he signed it.

Q Did he look it over?

A Yes.

Q And the sheet was handed in to the secretary and paid?

A Yes.

Q And did he speak to you at a later time about it?

A Yes when I heard Mr.McDonald's evidence here it came to my recollection.

Q And what did he say at that time?

A He said there was some mistake in the cheque, that he was overpaid, that he did some work he was never credited with and he later said he was satisfied, and I left it at that.

Q Now with regard to Mr.Williams?

A I cannot recollect about it.

Q Do you remember telling him it was a rakeoff?

A No I do not think I would say that the first year I was in the council.

THE COMMISSIONER: I think the words were "it is a little graft, the rest are getting it and you might as well have your share."

And I suppose that

Yes.

Now with regard to the

sheet was made or who

Well it was in the room

Where were you?

At the hotel's house.

And did you see

Yes I made it out.

And he signed it?

Yes he signed it.

Did he look it over?

Yes.

And the sheet was

Yes.

And did you see

Yes when I heard

recognition.

and what did he

he said that

verbal, that he

he later said he

Now with regard to the

I cannot recognize about it.

do you remember all him it was

I do not think I could say that

I am not sure here

you might as well have your answer.

MR. BRYAN: Have you any recollection of using those words?

A No.

Q And the question of this Stevens' time sheet. Why were all the names placed on that time sheet?

A I was short of timesheets and to get the work in I put their names on. I put Mr. Barron's name on. The other names were either already on or put on later. I initialled them.

Q Why is the change here in Mr. Stevens?

A I went up there one morning close to eight o'clock and there was nobody on the road and after the road work was done I inspected it and I just gave them what I thought was right. I do a lot of that work and I have a good idea he got plenty of money for the work.

Q You figured as a result of the work? -

A -That he was well paid for what he did.

Q But that is no justification for you making a change when a man has signed it. But that is the reason you made the change?

A Yes that is the reason.

Q Now there is the question of Mrs. Mayer. She said something about a certain sheet, that she or the hired men had - do you know anything about that?

A I told her to get Mr. Kimmerly to fix it last winter. And later on in the spring I got a telephone from the Soldiers' Settlement Board asking about it and I told them I would look after it and it was only a few days after that till Mr. and Mrs. Mayer came to the house and I asked them about it and she thought she had signed some kind of paper and time sheet and I told her I would go over the work and see how much work was done and I went down and left the time sheet with Mrs. Mayer to fill out ^{and} I said if

MR. BAKER

No.

And the

names of

I was

on. I put

on of the

Why is

I want

nobody

it and I

that sort

work.

You know

-That is

But

has slipped

has that

no. I was

of course

anything more

I told her

in the office

Don't worry

the case and I shall

kind of paper and

and see how much

she did not want to sign it perhaps she could get Mr.

Kimmerly to sign it. I did the best I could to look after it.

Q And has that sheet been handed in?

A Yes it was handed in yesterday.

Q THE COMMISSIONER: That is Exhibit 50?

MR. BRYAN: I am going to refer back to this sheet. Mr. Barron and Mr. Stevens, did they do that work?

A Yes. This is Stevens here. I checked all this work up.

Q And they did that actual work?

A Yes.

Q And Mr. D. L. Davidson came forward. And could you explain your position to the Court.

A He turned his time sheet in to me late in December and I found out I had expended over \$200 and I told Mr. Davidson he should have given this to Mr. Aronson because Mr. Aronson was working there along the market road, and he had a bill for blacksmith work and I told him I could not put this in till next summer.

Q What was the work for?

A For dragging the road.

Q Did it cover a considerable period?

A I just could not say. I think it did.

Q He would drag it from time to time?

A He did not have orders to drag it. He had orders to drag it once and I did not know that bill was coming in.

Q And it came in late after your appropriation had been spent?

A Yes and the two years previous to that I have added it up.

Q Mr. Davidson where his taxes were \$68 he got money to the value of \$75. If everybody would work out more than his taxes where would the municipality be?

* THE COMMISSIONER: And what did he say?

A He seemed to be quite satisfied.

Q And your reason for not putting it in until next year was you wanted to pay off part of his taxes by working that year and apply the balance on the next year's taxes?

A Yes.

Q With regard to this Kimmerly case. What was the first you heard about these double cheques being issued?

A From Mrs. Pidgeon.

Q Had you ever heard anything about it before that?

A No.

Q And had Mr. Kimmerly asked you whether he should or should not cash that cheque?

A Well I can't recollect anything.

Q To the best of your knowledge the first time you heard of it was when Mrs. Pidgeon -

A - met me on the street and told me about it.

Q And did Mr. Kimmerly visit you?

A Well Mrs. Pidgeon asked me about giving him work and I said I sure would give him a show.

Q And did she mention something about what he had said?

A Well I just could not say just word for word but she told me he said he had spent the money and he was not able to pay it back.

Q And you said you would give him a show to work it out?

A Yes.

Q When did he come to your place?

A I just could not say. It must have been shortly after and I told him to go ahead and do the work.

Q When was this pay sheet made out?

A Mrs. McKinley and I have been figuring it out for two or three

Q THE COMMISSIONER: AND WHEN

He seemed to be quite

And your reason for

wanted to pay off and

apply the balance on

A Yes.

Q With regard to

about these things

A From Mrs. M. J. Conn.

Q Had you ever

A No.

Q And had you ever

heard that changed

A Well I can't remember

Q To the best of your

was when Mrs. M. J. Conn.

A Not me or my sister

Q And did Mr. M. J. Conn.

A Well the wife and

would have him

Q And did she really

A Well I just could

Q said he had spent the

Q And you believe would give him a

A Yes.

Q When did you first

Q I just saw him say. It must have been shortly after and I told

Q the work.

months and I think it must have been pretty late in the Fall. Mrs. McKinley was present. I made the time sheet out in my own dining room. The only time sheet I made out that summer to the best of my belief and knowledge was that one.

Q Did you make out any other time sheet?

A No.

Q Did he put it in?

A Yes he put it in.

Q Did you have that time sheet before you when you made the second one?

A No. The other one was never at my house.

Q Well how did the dates happen to be in there?

A Well he just seemed to give me the dates and I put them down.

THE COMMISSIONER: That is the second time sheet?

A Yes.

Q Which you suppose was made about when?

A Well late in the Fall.

Q The first one was never in your hands?

A I might have O.K'd it in the office but I have lost all recollections of it.

MR. BRYAN: But it was not at your house as far as you remember?

A No.

Q And late in the Fall that other sheet was made out?

A To the best of my knowledge and belief it was pretty late.

Q And what did you think about the work?

A Well I always thought Mr. Kimmerly was all right. Anybody I appoint as foreman I take their word for everything and I do not dispute them, and he certified to it.

Q And did you go down and check it up?

A No I did not check it up.

months and I think it must

Mrs. McKinley was present. I was

dining room and only

best of my belief and

Q Did you make out

A No.

Q Did he put it in?

A Yes he put it in.

Q Did you have any

ones?

A No. The other

Q Tell how it is

A Well he just

THE COMMISSIONER'S

A Yes.

Q Which you suppose

A Well late in the

Q The first one was not

A I might have O.K.

recollections of it.

MR. BROWN: But is

No.

And late in the

To the best of my knowledge and belief it

And what did you think about

Well I am

but as far as I know I have their word for everything and I

dispute them, and he testified to it.

-down and

Q And where was this work supposed to have been done?

A I have no recollection. It was around there.

Q What do you mean by "there."

A Around down on his own place.

Q Well then as far as you recollect this you say you did not hear of anything of this case until Mrs. Pidgeon got in touch with you?

A No.

Q And then you said you would try and fix it up for him seeing he could not pay it?

A I told him I would give him a chance to do work.

Q And he called at your place, and did you discuss that?

A Well not very much. I told him I would give him a chance to do the work.

Q And did he say anything to you?

A I don't recollect of any conversation.

Q I presume he thanked you for it. In any event at that time when he went to your house was the pay sheet made out then?

A No.

Q And then some time later, you say you think it was late in the Fall he came to your place?

A To the best of my knowledge and belief.

Q And you think that was when the sheet was made out?

A Yes, it was late in the Fall.

Q And when was it passed by the council?

A I just could not say.

Q I presume it would be some time after that?

A Yes. ~~undoubtedly~~

Q Did he say anything to you then about having fixed it up for him?

Q And where was that?

A I have no recollection. It

Q What do you mean?

A Around down on the

Q Well then as far as

hear of anything

with you?

A No.

Q And then you

he could not

A I told him I would

Q And he called it wrong

A Well not very much. I

the work.

Q And did he

A I don't recall.

Q I presume it

he went to you

A No.

Q And then

Half he came to you

A To the best of my

Q And you think that

A Yes, it was late in the fall.

Q And when it passed by the

A I just could not say.

Q I presume it would be some time after that

Q About when it was taken it was for him

A I do not recollect anything after that.

Q And as far as you were concerned the whole thing was an endeavor to get a man out of a mix-up. He could not pay it and you thought you would get it back for the district in that way?

A I will willing to give the man a show.

Q And the result is you got yourself into a mix-up and a good one in this?

A Yes.

Q But there is only one point I am concerned in in regard to this and that is where he came to you before you heard from Mrs. Pidgeon and asked you if he should cash it or not?

A No I cannot recollect anything at all about that, no.

Q You cannot recollect that ever happened?

A No.

Q Do you think in all probability you would do anything like that. Had you ever done it before?

A No I would not have done that. I would have stopped the cheque.

MR. PARLER: I am producing to you Exhibit 12 "1R". Do you see that?"

A Yes.

Q And that is your writing?

A Yes.

Q From the column headed "part of section" to the column "total amount due."

A Yes.

Q That is your handwriting?

A Yes.

Q Do I understand your evidence to be that you made up that time sheet believing that that work was done? Now I want you to be

I do not neglect anything

and as far as

endeavor to

you thought you would

I will write

and the result

one in this?

Yes.

and that is what

Pittman and others

No I cannot recall

You cannot recall

No.

Do you think it is

Had you ever

No I don't

perhaps.

MR. PARK: I

that?

Yes.

and that is what we

Yes.

From the column headed

amount due.

That is your handwriting?

Yes.

I understand your evidence to be that you

that that work was done? Now I want you to be

careful. Do you say to this Commission that that "1R", that sheet was made up by you honestly believing that Kimmerly had worked out this to earn this \$36 that he had received in excess?

A Yes.

Q You do?

A Yes.

Q Are you satisfied to pledge your oath to the Commissioner that that is correct? I just want you to be careful with your answer. Do you say that sheet was made up honestly believing the work to have been done? He had been paid \$36 in excess, and do you say to his Lordship that that sheet was made up honestly believing that?

A Yes, believing he had done the work.

Q And you got the particulars from Kimmerly?

A Yes I got the particulars from Kimmerly.

Q When had you spoken. You say that Mrs. Pidgeon had spoken to you after Kimmerly had received the \$36?

A Yes.

Q It necessarily follows doesn't it?

A The first I heard of it Mrs. Pidgeon told me.

Q When was that?

A It was shortly after the money was paid, because I am in Stony Plain pretty often.

Q She told you the money had been paid?

A Yes.

Q Now you will notice that is July 1929. That cheque is issued, Exhibit 40, on the 1st of August, 1929. You will observe that?

A Yes.

Q So she must have told you after the 1st of August?

A Yes it was after the 1st of August.

careful. He was very to this
sheet was made up by on Monday
worked out late in the

Yes.

You do?

Yes.

Are you a staff?

that is correct

Do you see about sheet was

have been

to his relationship that

that?

Yes, believe in

and you

Yes I

What was that?

It was shortly after

Plain pretty often.

She told me the money had been in

Yes.

Now you will notice that in July 1933, the 1st of July is in

the 1st of August 1933. You will observe

Q How could you therefore put that work down for July 8th, 9th, and 10th when he was paid money subsequent to July?

A Well just what he gave me.

Q But she tells you and you know. How could he have worked it out after August and have the work charged up to July? Isn't this a fact, that you had made a mistake and you were trying to cover it up. Is not that right?

A No, sir.

THE COMMISSIONER: That would be rather an important event for you to remember.

A Well it passed my recollection. I did remember it but I forgot all about it.

Q But Mrs. Pidgeon had not called your attention to this until after the first when the cheque was issued or the third when it was cashed. That is correct?

A Yes, sir.

Q And then when Kimmerly went out to you and said: "Here I worked on the certain days in July" didn't it ever occur to you that that was about half a month prior to the time he got his overpayment? Did you say to him: "Here that cannot be correct because you are paid to the 1st of August?" You would remember a transaction like that from August to November or October, wouldn't you?

A Well I guess I should have but I seem to have forgotten it.

Q And wouldn't you say to Kimmerly "oh that is not correct because you were paid on the 1st of August and you were overpaid then so you could not have worked that?" Did you tell him that?

A No I don't think I told him anything. It was in the house and I don't think I mentioned it.

How could you therefore have been

forth when he was on

A Well that being the case

But she tells you

after August and

a fact, that you

it up. I got some thing

No, sir.

THE COMMISSIONER

to remember.

A Well it passed as collection.

all about it.

But Mrs. P. A. was

the first when

ceased. That is a

Yes, sir.

And then when K. H. was

on the certain

that was about half

payment, did you say

you are paid for in 191

transaction like in 191

you?

Well I guess I should have had a good idea of it

and wouldn't you say so

you were paid on the last of

on you and pay

No, I think I told him that. I was in the room

Q Mr.BRYAN: Did you do it in an endeavor to let him have \$35 or \$36 for nothing?

A No.

THE CO MISSIONER: Did you ever go and enquire afterwards if the work was done?

A No it never came to my mind until I heard it this winter.

Q And did you have any other overpayment in your district there?

A Well the only one is Mr.McDonald was claiming more than he should have and as I told you he was willing to credit what he had done on some other time.

Q You did not go after him afterwards to collect it?

A No, I did not.

Q Well isn't the sum and substance of the whole thing that you were not very fussy about time sheets or overpayment or anything else, but out of the goodness of your heart you wanted to help people out?

A Well I will tell you, I believe I made people earn their money. I tried to make them earn it.

Q But when a difficulty like this would come and they wanted a cheque and there was no one to sign the time sheet you did not mind signing it or striking out figures and changing it - you didn't do any of those things to make money for yourself?

A No,sir, anyone whose name shows work was done I saw them earn it.

Q And you got into this trouble through good heartedness and carelessness?

A Well I won't say carelessness.

Q Well in this case of Kimmerly you did not want to make trouble for him?

A If I had had any inkling I would have followed him to the end of
and thereupon

Mr. BRYAN: Did you go to the ...

... something?

THE CO-MISSIONER: Did you see ...

work was done?

No it never came to my ...

and did you have any ...

Well the only one ...

have and he I think ...

on some other time.

You did not go after him ...

Well I did not.

Well isn't that ...

not very funny about ...

but out of the goodness ...

cut?

Well I will tell you.

I tried to make ...

But when I ...

and there was no ...

ing it or anything ...

any of those things ...

No, sir, anyone -

and you got into this trouble ...

Well I won't say anything.

... this case of ...

the earth to get his \$36.00, the way he done it.

Q And after this you will follow them all if they get paid twice.

A Yes.

MR. PARLEE: I have a couple of files from the Department of Municipal Affairs. Would your Lordship like to have access to them?

THE COMMISSIONER: No. If you think there is anything my attention should be called to in them you may ask Mr. Bryan.

MR. ENGLISH: These files contain some certainly remarkable document regarding the administration of this municipality and we have been watching closely and giving directions along the lines produced to you in the evidence here and I personally would like the Court to take cognizance of the correspondence if your Lordship could find time to do so as I think it has a direct bearing on the commencement of this inquiry and the attitude adopted by the Department.

THE COMMISSIONER: I do not want Mr. English to be under any misapprehension that I am going to read those files through because I am not.

Two Department files filed as Exhibits 58 and 59.

CHRISTOPHER FITZLER: The ratepayers of this municipality have greatly appreciated the fairness and squareness and the diligent work done by several of the officials, namely; outstanding Mr. Coggles and that we appreciate the fairness and squareness and thoroughness with which this investigation

the work to get his 50,000.

Q. And after that you ...

A. Yes.

MR. TAYLOR: I have

Municipal affairs.

them.

THE COURT: I am ...

should be ...

MR. ENGLISH: From ...

regarding ...

watching ...

to you in the ...

to take ...

find ...

commencement of

Depart ...

THE COURT: I am ...

misapprehension ...

because I am ...

Two ...

ADMINISTRATIVE ...

... have ...

... be ...

... that we ...

has taken place and I am sure we will all abide by its decision.

FRED J. FRANCEY; While I have not been here continuously I have been a good listener and previously to your sitting here I have had the privilege of meeting Detective Coggles and I happen to know that from a great many different sources and in all cases his work is spoken of very highly. And I as a tax payer and councillor wish to thank him.

THE COMMISSIONER: From my own observation Mr. Coggles has certainly done a great deal of diligent and effective work and has been of great assistance to the Commission and also Mr. Parlee and Mr. Bryan. I think we have had every aspect of the case gone into. If anybody has anything to say or add I would like to hear it now because the purpose was to give free access to everybody.

AT 4:30 p.m. the Inquiry adjourns
for fifteen minutes.

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AT 4:50 the Inquiry resumes.

Mr. Bryan addresses the Commissioner quoting Section 283 of The Municipal Districts Act.

THE COMMISSIONER: In regard to Mr. Adkins employment of his immediate relations in the road work, Mr. Adkins took the matter up with Mr. Parlee, the counsel, and myself in regard to calling a number of witnesses from his section of the district to prove that there was no partiality towards his own relations or unfairness to others and Mr. Parlee and myself considered it would not be advisable to put Mr. Adkins to the expense of bringing these people up here that long distance, some 32 miles, in view of the evidence we had placed before us and that is the reason Mr. Adkins has not called various witnesses to answer that charge.

IN THE MATTER of Certain alleged irregularities
in the conduct of the business and affairs of the
Municipal District of Ingo No. 520, particularly
set out in the Order in Council, dated Tuesday the
31st day of JULY 1931 and

IN THE MATTER of the Public Inquiries Act being
Chapter 26 of the Revised Statutes of Alberta 1932.

AFFIDAVIT.

I, OLE ANDERSON of the District of Wolbourn in the
Province of Alberta, Farmer, MAKE OATH AND SAY:

1. That I was a witness at the hearings of the above
Investigation held in the Town of Stony Plain before
Mr. Justice Tweedie.

2. While appearing before the said Commissioner, I
was asked by the solicitor for the Commissioner if Mr.
Anderson had any horses working on the road while I was
working there other than the ones that I was driving to
which question I replied negative.

3. That on thinking over the matter carefully I
remember that Mr. Anderson had himself driving four of his
own horses.

4. That I worked on the said road for seven or eight
days during the month of October in the year 1930, and that
during that time with the exception of perhaps one or
two days, Mr. Anderson himself drove four of his own
horses on road work.

IN THE MATTER of certain alleged transactions
in the conduct of the business and affairs of the
Municipal District of Park No. 280, particularly
set out in the Order in Council, dated Tuesday the
first day of JULY 1931 and
IN THE MATTER of the while in issue of being
Chapter 30 of the Revised Statutes of Alberta 1930.

EXHIBIT

I, ONE ANDREW of the District of Calgary in the
Province of Alberta, do hereby certify that

That I was a witness at the trial of the above
Investigation held in the Court of Law in Calgary
Mr. Justice Thibault.

2. While appearing before the said Investigation
was asked by the solicitor for the Commission if I
Anderson had any horses working on the road while I was
working there other than the one that I was driving in
which question I replied negative.

3. That on thinking over the matter carefully I
remember that Mr. Anderson was himself driving four of his
own horses.

4. That I worked on the said road for horses or stage
days during the month of October in the year 1930, and that
during that time in the question

5. That I spoke to Mr. Bryan right after the hearing at which I testified about the mistake I had made before Mr. Aronson ever spoke to me with regard to the matter and I am giving this Affidavit to correct the evidence which I have given so that it might be fair to Mr. Aronson.

SWORN BEFORE ME at the Town)
of Stony Plain in the Province)
of Alberta, this 28th day of) "Oke Anderson"
SEPTEMBER, A.D., 1931.
"P. Werner")
A Commissioner for Oaths.)

2. That I agree to the fact that after the hearing at which I testified about the matter I had made before Mr. Adams a very good deal of work in regard to the matter and I am giving this affidavit to correct the evidence which I have given so that it might be fair to Mr. Adams.

SWORN before me at the town of Stony Plain in the Province of Alberta, this 28th day of September, A.D., 1921.

J. J. [Signature]
A Commissioner for Justice

in the presence of
[illegible]
[illegible]
[illegible]

